



***The City of New York  
Office of the Comptroller  
Bureau of Management Audit***

---

**WILLIAM C. THOMPSON, JR.**  
***Comptroller***

**Audit Report on the  
Shelter Conditions and Adoption Efforts of the  
Center for Animal Care and Control**

**ME01-109A**

***June 6, 2002***

**William C. Thompson, Jr.**  
***Comptroller***

Deputy Comptroller for Policy,  
Audits, Contracts & Accountancy  
Greg Brooks

Assistant Comptroller for Audits  
Roger Liwer

Director of Management Audit  
Faige Hornung

Assistant Director of Management Audit  
Edward Carey

Audit Manager  
Lisa Dogim Ableman

Auditor-In-Charge  
Marianne Galgano

Auditors  
Karen Barclay  
Judy Louie

Report Editor  
Carol Brownell

***The City of New York  
Office of the Comptroller  
Bureau of Management Audit***

**Audit Report on the  
Shelter Conditions and Adoption Efforts of the  
Center for Animal Care and Control**

**ME01-109A**

---

**EXECUTIVE SUMMARY**

**Background**

The Center for Animal Care and Control (CACC) is a not-for-profit corporation that was formed for the purpose of providing animal care and control services in the City of New York. CACC's contract with the New York City Department of Health (DOH) took effect on January 1, 1995, when it followed the ASPCA as New York City's provider of animal care and control services.

CACC's contract with DOH requires that it "provide animal seizure, shelter and care services . . . and related services." In order to provide these services, CACC is to maintain an emergency telephone number for receiving complaints regarding animals, in response to which CACC is to seize "unlicensed or unleashed dogs, cats whose owners are not identified, vicious and dangerous animals, animals that have bitten, rabid or suspected rabid animals, prohibited, exotic or wild animals, and venomous reptiles and bats." CACC is also required to accept "animals which are lost, stray, homeless, unwanted or abandoned with professional caretakers," and to maintain a process by which all licensed dogs and owner-identified cats seized "may be expeditiously claimed and returned to their owners." CACC's contract further specifies that it "shall operate animal shelter facilities in the boroughs of Manhattan, Brooklyn, and Staten Island . . . open to the public on a 7 day a week, 24 hours a day schedule, every day of the year excluding major holidays." The "care of animals at the shelters shall include feeding, boarding (including bedding and cleaning of cages), watering, exercising, and provision for immediate first aid as required, including but not limited to isolation of sick animals as necessary." CACC is to "operate and maintain animal receiving facilities . . . in the boroughs of the Bronx and Queens." CACC "shall provide adoption services at the shelters and receiving facilities and shall promote

adoption as a means of placing animals.” In addition, “for all adopted dogs and cats [CACC] shall provide, or cause to be provided, spay/neuter services and administer rabies immunizations pursuant to the New York City Health Code.” The contract also requires that CACC “enlist the aid of volunteers and . . . conduct education and community outreach concerning animal control and public health issues related thereto.”

CACC’s mission statement is quoted on its website and in its *Report 1998 & 1999* as follows:

“The Center for Animal Care and Control, Inc. is dedicated to providing humane care for all New York City animals in need, while protecting the public health and safety of New Yorkers. CACC will give the most humane care possible to the hundreds of animals that are brought to our shelters each day. The CACC works together with the citizens of New York City, including area shelters and humane organizations, to reduce the number of homeless animals through increased adoption, spay/neuter programs, animal rescue services and by heightening awareness about the responsibility of having an animal companion.”

In addition, according to the description of its mission in its staff manual,

“The CACC has numerous programs and provides numerous services. These include but are not limited to sheltering animals; picking up animals that are at-large, sick, or dangerous; returning lost animals to their owners whenever possible; providing for the adoption of homeless animals to responsible persons; and, when necessary, providing a humane and painless death.”

CACC provides these services to the approximately 60,000 animals that come into its shelter system each year at five facilities—three full-service shelters in Manhattan, Brooklyn, and Staten Island, and two small receiving centers in Queens and the Bronx. The vast majority of the animals that come into CACC’s shelters are cats and dogs. The Manhattan shelter can house approximately 500 cats and dogs; the Brooklyn shelter, approximately 400; the Staten Island shelter, 150-200; and the Queens and Bronx receiving centers, 19 and 50, respectively.

CACC also has a Field Operations Division, which responds to calls from the public and government agencies, using a fleet of 15 rescue vans to pick up stray or homeless animals, animals that threaten public safety, and sick, injured or dangerous wildlife.

According to CACC’s Monthly Animal Activity Reports, during calendar year 2000 a total of 60,877 animals came into its shelters—55,376 cats and dogs,

and 5,501 other animals. Of these 60,877 animals, 14,270 were adopted, 677 were returned to their owners, and 41,203 were euthanized.

During calendar year 2000, CACC had a total budget from DOH of approximately \$8.3 million. In addition to its five animal facilities, CACC has an administrative office in downtown Manhattan. During calendar year 2000, CACC employed approximately 170 people in its shelter, administrative, and executive functions.

## **Objectives**

The objective of this audit was to evaluate the following two aspects of CACC's services:

- the conditions under which animals are sheltered in CACC's facilities; and
- the level and success of CACC's efforts to promote the adoption of animals from its shelters.

These two aspects of CACC's services are addressed in both CACC's contract and its mission statement. Specifically, CACC's contract with DOH states that CACC "shall meet all its obligations under [the contract] in a humane manner . . ." and that CACC "shall provide adoption services at the shelters and receiving facilities and shall promote adoption as a means of placing animals." CACC's mission statement states that CACC "is dedicated to providing humane care for all New York City animals in need . . . [and] the most humane care possible to the hundreds of animals that are brought to our shelters each day" and "works . . . to reduce the number of homeless animals through increased adoption, spay/neuter programs, animal rescue services and by heightening awareness."

Other areas of CACC's services that were not covered by this audit are described in the body of this report (page 4).

## **Scope and Methodology**

The scope of this audit was CACC's shelter conditions and adoption efforts between January 1, 1999, and June 30, 2001.

To obtain an overview of CACC's structure, services, operations, policies, and procedures, we interviewed all members of CACC's executive and managerial staff, and two members of CACC's board of directors. We reviewed CACC's written policies and procedures, the Monthly Animal Activity Reports that CACC is required to submit to DOH, CACC's staff manual, CACC's 2000 Certified Public Accountant (CPA) report, and minutes for meetings of CACC's

board of directors from January 1999 through June 2001. We also attended three board of directors' meetings. During the course of the audit, we reviewed CACC's personnel, disciplinary, financial, and marketing files, as well as data in the CACC shelter management computer system, known as "Chameleon."

To determine whether CACC is sheltering animals under humane conditions in compliance with its contract, we visited CACC's five facilities a total of 15 times between February and April 2001.

To evaluate the success of CACC's adoption efforts, we analyzed the data in the CACC Monthly Animal Activity Reports submitted to DOH for January 1999 through June 2001. To assess the level of CACC's efforts to promote adoption as a means for placing animals, we interviewed executive and managerial staff regarding adoption programs and marketing efforts, reviewed CACC's files on special events, off-site adoptions and advertising, and reviewed the CACC website.

To evaluate CACC's use of volunteers to help improve shelter conditions and increase animal adoptions, we interviewed executive and managerial staff and reviewed CACC's files on volunteer activities.

To determine how CACC's shelter operations, adoption efforts, reliance upon volunteers, and fundraising compare to those of other shelters across the country, we conducted a telephone survey of 13 municipal animal care and control centers in other major cities throughout the country. We also gathered information on several New York City area shelters to determine how CACC compares to them in terms of staffing levels, adoption efforts, reliance upon volunteers, and fundraising.

To determine the general public's level of awareness of CACC and its services, we conducted a telephone survey of New York City residents.

To determine the level of user satisfaction with CACC's adoption and shelter services, we conducted telephone surveys of CACC customers and rescue groups.

Since we were prevented from speaking to current shelter staff without a supervisor being present (See "Audit Limitations"), we interviewed former CACC employees in order to obtain information on CACC's actual practices.

To determine the merit of allegations of animal mistreatment at CACC made by former employees and rescuers, we attempted to review the personnel files maintained at CACC's administrative office, and the disciplinary action notices, notes-to-file, and managers' logbooks kept at each of the three full-service shelters.

To determine whether DOH's funding level and CACC's budget were sufficient to allow CACC to properly care for and effectively promote the adoption of the animals in its shelters, we compared DOH's funding level of CACC and the CACC calendar year 2000 budget to the standards of the Humane Society of the United States.

This audit was conducted in accordance with Generally Accepted Government Auditing Standards (GAGAS), and included tests of the records and other auditing procedures considered necessary. This audit was performed in accordance with the City Comptroller's audit responsibilities as set forth in Chapter 5, § 93, of the New York City Charter.

### **Audit Limitations**

Throughout the audit, CACC imposed obstacles that prevented us from conducting audit tests as we deemed necessary. CACC prevented us from obtaining a complete and accurate view of its operations and from obtaining all of the information necessary to develop a full set of constructive recommendations to help improve its operations.

The limitations imposed by CACC included its refusal to allow us to interview staff members without a supervisor being present, its refusal to allow us access to certain documents, and its delays in the production of some other records. In addition, it was very difficult to arrange a meeting with the board of directors, and only two members of the board eventually met with us. The audit limitations necessitate certain qualifications to our findings, described below.

Since we were unable to independently interview any employees, such as kennel attendants, veterinarians, veterinary technicians, and adoption counselors, who would have been able to give us direct, first-person observations of CACC's actual daily operations, we could not obtain a full account of management problems, inaccuracies in the organization's records, or possible misstatements of the organization's policies and practices.

Because CACC denied us access to certain records that may have contained adverse information regarding the conditions at CACC shelters and the treatment of the animals kept there, and delayed our access to other records (providing the opportunity for the removal or alteration of records), our record review may not have uncovered the full extent of the problems of animal abuse and neglect, accidental euthanasia, and poor veterinary care described in this report.

In addition, since we could not interview all of the board members—who are ultimately responsible for overseeing CACC's operations—we may have

missed the opportunity to gain insight into the reasons for some of the problems CACC is facing.

## **Results In Brief**

CACC does not provide humane conditions for all of the animals in its shelters and has not made aggressive efforts to increase adoptions of homeless animals. This report describes our findings in three main sections.

The first section, “Animals Are Not Always Sheltered under Humane Conditions,” discusses the inadequacies discovered during our visits to the shelters, including that dogs are rarely, if ever, exercised, animals were not provided constant access to water, contagious animals were sometimes kept in the same wards as non-contagious animals, and at the two larger shelters, animals’ cages were not consistently spot-cleaned; evidence that animals in CACC shelters are sometimes subjected to abuse and neglect; the fact that some animals have been accidentally euthanized; and evidence of poor veterinary care in CACC shelters.

The second section, “CACC Has Not Made Aggressive Efforts to Increase Adoptions,” presents recent CACC adoption statistics and discusses some of the likely reasons that adoption levels are low and have not improved over the last three years. These reasons include: limited public awareness of CACC and its adoption services and a lack of aggressive efforts by CACC to improve public awareness; inadequate use of off-site adoptions; inadequate efforts to ensure that the adoption process is encouraging to all potential adopters; CACC’s discouragement of some rescue groups that take animals from its shelters; the apparent inappropriate limitation of the pool of animals available for adoption; and a lack of adoption services at CACC’s Queens and Bronx facilities.

The third section of the report, “Possible Causes of CACC’s Shortcomings,” discusses the fact that CACC compounds the problem of under-funding by failing to aggressively raise funds on its own and by failing to take sufficient advantage of volunteers. It also discusses a problem evidenced by CACC leadership apparently interpreting the organization’s mission more narrowly than it was originally conceptualized and failing to aggressively pursue some of the goals outlined in its mission statement, such as, “providing humane care for all New York City animals in need” and “reducing the number of homeless animals through increased adoption.”

Lastly, under “Other Issues,” we discuss the facts that: CACC’s board violated its bylaws by meeting and voting on certain items without the required quorum present; CACC’s board appears to have violated the letter and spirit of the Open Meetings Law by speaking at almost a whisper and thereby preventing



attendees from hearing their discussions; and CACC's contract with DOH does not include specific and measurable performance requirements or standards.

Many of the findings in this report are supported by the results of our surveys of individuals acquainted with CACC's operations (former employees, customers, and individuals from rescue groups who work with CACC) in addition to our document reviews, observations, and interviews with CACC management. In total, six of eight former employees, 36 of 59 rescuers, and 14 of 33 customers we surveyed criticized aspects of CACC's operations and management. Their allegations and the results of our testing painted a similar picture—that of a shelter system in which: inadequate resources and staffing levels prevent the provision of some of the basic necessities for humane animal care; the frustrations of over-worked or unqualified employees are sometimes taken out on the animals; opportunities to help animals and increase adoptions are squandered; and, perhaps most notably, the status quo is perpetuated by a management that is not truly committed to all aspects of the organization's contract and mission, namely, to provide high quality, humane, animal care and place as many animals as possible in adoptive homes.

### **Notes Regarding Exit Conference**

An exit conference with DOH and CACC officials was held on March 4, 2002. Three issues raised during this meeting should be mentioned here.

First, DOH noted an inconsistency between our finding that animals in CACC's care are not always sheltered under humane conditions, and the results of its own inspections of CACC facilities. To illustrate this point, DOH provided us with reports of 531 inspections of CACC facilities that were conducted by DOH veterinarians and public health sanitarians between January 1, 1999 and June 30, 2001. As DOH stated, those inspection reports did not reveal any cases of poor veterinary care or inhumane treatment. However, we do not believe that this is necessarily inconsistent with the findings in our report, because DOH veterinarians and public health sanitarians evaluate conditions in the shelters and the quality of care differently than we did. During their inspections, DOH veterinarians and health sanitarians look at 13 different areas, including floors, washrooms, wards, and infirmaries (many of which were not covered by our audit.) However, just as we did not cover in our audit all the areas that they cover in their inspections, they do not evaluate all of the conditions that we did (for example, how many animals had access to water at the time of the inspection). In addition, their inspections evaluate conditions more generally than we did, resulting in "yes" or "no" answers for conditions such as, "cages washable and clean," and "separate, adequate, clean area provided for sick animals"; in contrast, we counted the number of cages that were soiled, and the number of wards in which healthy and contagious animals were housed together. Lastly, DOH inspections cover a specific point in time, and therefore could not have identified

the instances of poor veterinary care, accidental euthanasia, and abuse and neglect that we uncovered through our review of CACC's records and our surveys of past employees, rescuers and customers. Thus, while DOH's inspection reports show that DOH has monitored CACC facilities through frequent on-site inspections, they are not comparable to the type of review that we conducted and therefore neither contradict nor are inconsistent with the findings in this report. (In response to this audit, DOH officials used the above-mentioned inspection reports to formally disagree with our finding regarding inhumane conditions. We therefore conducted a more thorough analysis of DOH's inspection process and reports, and the results of that analysis, which concluded that the process and reports are flawed, are described starting on page ES-11 of this report).

The other two issues worth discussing were raised by CACC. First, CACC's executive director repeated a prior claim that the mission statement quoted in this report is not CACC's mission statement. In response, we pointed out that we quoted CACC's mission statement exactly as it appears on the organization's website and in its *Report 1998 & 1999*.<sup>1</sup> Therefore, the mission statement as cited in this report was quoted directly from CACC's own description of its mission statement. Shortly after the exit conference, CACC's mission statement was removed from its website.

Second, CACC's executive director claimed that CACC cannot use volunteers more than it does because of prohibitions imposed by the employees' union. She stated that she would provide us with correspondence between CACC and the union documenting this fact, as well as with a copy of the union contract. The correspondence she described was never provided, and after reviewing the union contract, our attorneys concluded that the contract is very clear regarding this issue and directly contradicts the executive director's claim that CACC is limited in its use of volunteers. Specifically, the contract gives CACC the unlimited right to utilize volunteers as it sees fit, as long as the use of volunteers does not cause the layoff of any regular employee or prevent the replacement of a regular employee who leaves or is terminated.

## **Recommendations**

The audit resulted in 41 recommendations, the most significant of which are summarized below.

- While additional funding will most likely be impossible to obtain in the near future, given New York City's financial situation after the September 11<sup>th</sup> attack on the World Trade Center, we recommend that, if it ever becomes possible, DOH consider amending CACC's contract to fund the hiring of additional kennel attendants and veterinary staff.

---

<sup>1</sup> Although the sources of the mission statement are specified in this final report and the draft report, they had not been specified in the preliminary draft report.

CACC should take the following steps, and/or DOH should monitor CACC to ensure that these steps are taken:

- Ensure that: dogs are walked; all animals have constant access to water; animals' cages are kept clean; animals are put only into dry cages; and cats, dogs, contagious, and nursing animals are kept in separate areas.
- Investigate the possibility of obtaining additional interns through area colleges to supplement staff in providing animal care.
- Immediately terminate any employee who physically abuses any animal.
- Provide more supervision of CACC employees, particularly the kennel attendants, who are directly responsible for the care of the animals.
- Provide additional training on and increase supervision of the euthanasia process to ensure that all control procedures are followed.
- Quickly terminate any veterinary staff members who are found to be unqualified or who consistently provide poor care.
- Evaluate the performance of all veterinary technicians and determine whether there is an advantage to employing licensed technicians. If there seems to be an advantage, CACC should consider hiring only licensed veterinary technicians in the future.
- Implement a process to monitor and evaluate the performance of contracted veterinary clinics.
- Ensure that the photographs posted by CACC on Petfinder are clear and attractive.
- Increase CACC's outreach, public education, and advertising efforts. CACC should speak to other shelters to obtain ideas, and pursue relationships with local media outlets and enter into partnerships with private companies willing to sponsor special events or advertising campaigns.
- Increase CACC's participation in adoption events and expand its off-site adoption program.
- Develop a formal customer service quality assurance program as required by the contract with DOH.

- Work more cooperatively with rescue groups interested in helping CACC place animals. CACC should ensure that all employees understand the importance of maintaining good working relationships with these groups, that they treat rescuers professionally and courteously, and that they return calls from rescuers in a timely fashion.
- Make the PET application process less cumbersome and less paper intensive, and inform rescue groups by letter that: CACC is implementing the PET program incrementally; it plans to eventually provide PET applications to all rescue groups; and it will not stop working with those rescue groups that have not yet received PET applications.
- Ensure that all animals initially given a “4” status are re-evaluated for temperament.
- Cease the practice of limiting the adoption of older animals.
- Use its Bronx and Queens receiving centers to show adoptable animals until the opening of the planned full-service shelters in the Bronx and Queens.
- Plan and implement additional fundraising efforts. CACC should contact other non-profit animal shelters to obtain ideas regarding effective fundraising methods.
- Aggressively increase its number of volunteers through a stronger recruitment effort aimed at individuals interested in the care of animals. CACC should consider enlisting the aid of rescue groups and other area animal welfare organizations in recruiting volunteers.
- Expand duties available to volunteers to include more direct animal care, such as dog walking, cage cleaning, and cat grooming.

We also recommend that:

- CACC’s board of directors and executive management convene to discuss the organization’s mission, to determine whether the current mission statement accurately reflects CACC’s purposes, and to reconcile its organizational and management philosophy with its contract and stated mission. If the board and executive management determine that the current mission statement is accurate, then they must develop a plan for the organization to change direction and bring its operations in line with the pursuit of all of the goals in its mission

statement. If the board and management decide that they are not interested in pursuing all of the goals in CACC's mission statement, they should change the mission statement accordingly, and negotiate any necessary amendments to CACC's contract with DOH.

- CACC's board of directors should comply with the Open Meetings Law and ensure that all board members, officers, and invited speakers speak audibly so that members of the public who attend the board meetings may hear what is said.
- DOH should amend CACC's contract to include specific and measurable performance requirements and/or standards for all appropriate service-related areas.

### **Agency Response**

The matters covered in this report were discussed with officials from CACC and DOH during and at the conclusion of this audit. A preliminary draft report was sent to DOH officials on December 31, 2001, and a revised pre-draft was distributed and discussed at an exit conference held on March 4, 2002. On April 19, 2002, we submitted a draft report to DOH with a request for comments. We received a written response from DOH on May 6, 2002.

In its response, DOH stated that it "disagrees with the report's main findings: that animals are not sheltered under humane conditions and often receive poor veterinary care." However, DOH agreed with our adoption-related findings stating, "CACC has not been as successful as hoped in the area of increasing adoptions." DOH also agreed with our other findings, stating that its own on-site monitoring, which was expanded in July 2001, "to include a comprehensive review of all contractual requirements . . . has found deficiencies in CACC's . . . customer service, volunteer program and education and outreach efforts." DOH also committed itself to increasing its site visits to four times a year, effective July 2002. DOH's response is discussed in detail in the body of this report and is included in its entirety as an Addendum to this report.

DOH also appended a 28-page response from CACC to its own response. In its lengthy response, CACC took strong exception to nearly every aspect of the audit's methodology and conclusions. Specifically, CACC alleged that:

"Many of the conclusions reached in this audit are not credible, as evidenced by: the antagonistic tone throughout the audit; the use of words and phrases of an inflammatory nature; the failure to use experts in areas requiring specialized knowledge; the slanting of the data presented; the inadequacy of the sample taken; the failure to make explicit the significant differences between CACC and the organizations with which it is compared in the audit; the failure to

credit CACC's significant accomplishments; and the use of anecdotal information from unnamed sources holding clear potential for bias against CACC."

Moreover, CACC alleged that there was "political influence in the audit process," claiming that the audit was "motivated by the political interest of [former Comptroller Alan Hevesi]." CACC further alleged that "the audit was conducted during the Mayoral campaign in which Alan Hevesi was a candidate who supported the special interest group's call for the abolition of CACC." CACC's executive director also stated, "CACC is surprised . . . that Comptroller William Thompson could be so ill served by his staff both in reporting and the issuance of this audit; one that was clearly motivated by the political interests of his predecessor."

In addition, CACC claimed that the audit was not conducted in accordance with GAGAS. Specifically, CACC alleged that:

"The auditors established their own criteria for evaluating the performance of CACC ignoring technical standards for care . . . [The Comptroller's Office] assigned auditors with no known skills or knowledge in the areas of humane animal care, veterinary medicine or labor law . . . samples were neither random or statistically significant . . . the subject audit is neither objective nor balanced . . . [auditors] failed to provide a reasonable perspective for the findings they recorded as they have repeatedly failed to provide the proper context for the frequency of occurrences . . . four different scopes suggest that the auditors knowingly ignored the Governmental Auditing Standards relating to audit planning and that CACC was not afforded proper due process."

Obviously, there is a stark contrast between the audit's findings and CACC's response, and in order to present and discuss fully CACC's position on the matters presented in this audit, a separate section has been added at the end of this report entitled "Discussion of CACC's Response." The Comptroller's Office, after carefully reviewing CACC's response, has concluded that CACC's arguments are invalid, that they are based upon distortions and misrepresentations, and that the audit's findings should not be changed. The full text of CACC's response is included along with DOH's, as an Addendum to this report. The "Discussion of CACC's Response" begins on page 73.

As stated earlier, DOH disagreed with the audit's "main findings: that animals are not sheltered under humane conditions and often receive poor veterinary care." In support of that position, DOH argued:

"These findings are contrary to observations by DOH Veterinarians and Sanitarians. DOH has been closely monitoring the operations of CACC, the contractor that provides services to

the City under contract, since its inception, January 1, 1995. From that date through April 2002, DOH has closely monitored CACC's contract performance and conducted over 1,200 inspections of CACC facilities. During these inspections, DOH did not observe evidence of inhumane treatment or substandard veterinary care cited in your audit. Although the audit notes on pages ES7 and ES8 that differences in review methodologies may have yielded different results, the training and experience of the DOH staff who conducted these inspections provide us with a high degree of assurance that the animals in CACC's charge are appropriately cared for. While DOH did not see evidence of such deficiencies, the Department is nonetheless concerned by the audit's findings.

"During the audit period from January 1, 1999 through June 30, 2001, DOH conducted over 531 inspections of CACC facilities. Copies of these inspection reports were provided to the Comptroller's Office at the March 4, 2002 meeting. . . . These inspections included frequent unannounced visits that investigated the physical plant, ward conditions, humane treatment, rabies observation of biting animals, compliance with applicable laws and regulations, record keeping and other activities that affect shelter operations. During site visits, DOH Veterinarians inspected all caged animals and reviewed medical records.

"Based on the observations by DOH Veterinarians and Sanitarians during these inspections, we disagree with the findings of poor veterinary care and inhumane treatment reported in the audit. Specifically, DOH did not observe any cases of poor veterinary care, contagious animals being caged in general wards with healthy animals or inhumane treatment during 531 inspections conducted by DOH Veterinarians and other staff during the audit period. The auditors may have drawn other conclusions about the handling of contagious animals based on a misunderstanding of how cage cards are used by CACC. In addition, we also monitor animal bite cases and found no instances where these animals were accidentally euthanized."

The intent of this audit was to review CACC's compliance with its contract's requirements, not DOH's monitoring of CACC. That is why only a cursory review was made of the 531 inspection reports that DOH provided, and why that review concluded (as stated in the "Notes to Exit Conference" section of this report) that there was no apparent inconsistency between DOH's inspection results and ours, mostly because of apparent differences in the inspection methodology. However, in its response, DOH uses those reports as the foundation for its disagreement with our findings regarding inhumane conditions, and we therefore conducted a more thorough analysis of those DOH reports in order to evaluate the validity of DOH's argument. The results of our analysis lead

us to conclude that if those inspection reports are truly reflective of DOH's monitoring of CACC, then DOH's monitoring process has significant weaknesses, as discussed further below.

- **No Criteria For Inspection Ratings:** When DOH officials first argued at the audit exit conference that its own inspection reports showed a different picture of shelter conditions than ours, we asked them what criteria their staff use when they conduct inspections and enter "yes" or "no" ratings on the inspection sheets. DOH officials could not provide any specifics on what would lead their staff to answer "yes" or "no" to each of the questions on the inspection reports, and stated that they do not have written criteria or standards for use by the DOH Veterinarians and Sanitarians when they perform such inspections. It is therefore clear that the DOH inspection reports are subjective in nature and may not be a reliable source to illustrate shelter conditions. (See Appendix III for a sample inspection report.)
- **Inspection Reports Indicate Near Perfect Performance:** Each of the 531 inspection sheets that DOH gave us contains 13 rating categories (e.g., "Floors," "Washrooms," "Wards," and "Infirmary") and those categories include a total of 37 "yes/no" questions (e.g., "Cages washable and clean" in the "Wards" category), for a total of 19,647 questions on the 531 reports. Of those 19,647 total questions, 18,216 had an accompanying "yes/no" entry (some were left blank), and of those 18,216 with an entry, 17,855, i.e., 98 percent, were answered "yes," indicating a near perfect performance.

Of even greater interest were the answers to the seven questions in the "Wards" category and the two questions in the "Operations" category, questions that are most similar to the areas tested by the auditors. These questions included: "Cages not overcrowded"; "Cages washable and clean"; "Cages intact"; "Animals in appropriate cages"; "Clean, appropriately filled cat litter pans provided"; "Temperature appropriate"; "Ventilation adequate"; "Veterinary protocols adhered to"; "Food protocols adhered to." Of the 3,717 questions in the "Wards" category, 3,536 had an accompanying "yes/no" entry, and of those 3,536 with an entry, 3,528, i.e., 99.8 percent, were answered "yes," indicating a close-to-perfect rating. Equally astonishing is that 100 percent of the 907 questions with entries in the "Operations" category were all answered with a "yes", indicating a perfect rating.

What makes such inspection report results even more dubious, however, is the context in which they were derived. On the one hand, the audit determined that CACC's performance was deficient in many areas, and DOH agreed, stating that "DOH monitoring has found deficiencies in CACC's adoption process, customer service, volunteer program and



education and outreach efforts.” On the other hand, DOH argues that such an organization, that is widely known to be under-funded and understaffed, that does poorly in terms of recruiting volunteers, that needs to improve customer relations and fund raising, and whose adoption efforts need improvement, otherwise performs perfectly in terms of treating animals humanely and providing appropriate veterinary care. We are not convinced.

- **Other Obvious Flaws in the Inspection Reports:** When reviewing the 531 reports provided by DOH, we noted that 932 of the 19,647 questions were not answered at all and were left blank: specifically, in the “Wards” category, 181 questions were not answered, and in the “Operations” category, 121 questions were not answered. This indicates that these areas were not evaluated during the inspections. In addition, the DOH inspector did not sign 39 of the 531 inspection reports, and the reviewer did not sign 31 of the 531 inspection reports.
- **Likely Advance Announcements of Inspections:** One of the most disturbing outcomes of our review of DOH’s inspection reports, and one that casts even more doubt upon their validity, is the fact that some of the former CACC employees we were able to contact during this review stated that they knew of the DOH inspections ahead of time and took special steps to prepare for them.

We were able to contact four of the former employees we identified through CACC personnel files (these people stopped working for CACC between December 2000 and June 2001) and five of the former employees who either contacted us or whom we contacted as part of the background research for this audit, to ask them whether they knew of inspections in advance. Three of these nine former employees stated that they knew when inspections were soon to occur. One stated: “When we were expecting inspectors, we stepped it up a little—did a little more than normal in terms of cleaning up the kennels, washing down the halls, disinfecting, etc. . . . The manager would make it aware to me that inspectors were coming. I would have to inform all kennel staff, and there were times when I would ask additional staff to stay on or come in.” He went on to state: “There were also surprise inspections, which we were notified about on the morning of. With these we had to run around to do everything, make calls to get additional people in, do everything in a hurry.”

The second person stated that, in addition to the fact that the shelter staff knew of and prepared for inspections ahead of time, once the inspector arrived, “He would go to the manager’s office first for an hour or so, and the foreman would go around to make sure that everything was ready.”

The third person recalled a few inspections that the shelter staff knew about beforehand. She stated that the staff were instructed to “pull it together,” and that on the day of the inspection, management scheduled more people to be at work to take care of the kennel areas.

In summary, we believe that the evidence of animal mistreatment that we found during the course of this audit supports our conclusion that inhumane conditions existed, in circumstances we describe, at CACC’s shelters. We do not believe that the evidence that DOH provided to refute our findings is credible. This audit supports its finding of inhumane treatment on real documents found at CACC itself, and cites instances of inhumane animal treatment, accidental euthanasia and substandard veterinary care based upon CACC’s own documents. We found such documents in the personnel files maintained at CACC’s administrative office and in the disciplinary action notices, notes-to-files, and managers’ logbooks kept at the shelters. As mentioned in the “Audit Limitations” section of this report, we had only limited access to these documents; therefore, it is very likely that there are more instances that we could not uncover. In its response, DOH stated that it “does not agree with the findings of inhumane treatment and substandard veterinary care,” but never addresses the hard evidence we provide in the audit.

## *Table of Contents*

INTRODUCTION .....	1
Background .....	1
Objective .....	3
Scope and Methodology.....	4
Audit Limitations .....	7
Denial of Full Access to Shelter Staff.....	7
Limitations on Access to Records.....	8
Difficulty Meeting with the Board of Directors.....	9
Agency Response .....	9
 FINDINGS AND RECOMMENDATIONS.....	 10
Notes Regarding Exit Conference.....	11
 Animals Are Not Always Sheltered Under Humane Conditions .....	 13
Observations During Site Visits.....	13
<i>Dogs Are Rarely Exercised</i> .....	15
<i>Animals Were Not Provided Constant Access to Water</i> .....	16
<i>At the Manhattan and Brooklyn Shelters,</i> <i>Animals' Cages Were Not Consistently Spot-Cleaned</i> .....	17
<i>Contagious Animals Were Kept</i> <i>In Wards with Healthy Animals</i> .....	18
<i>Other Conditions Found at the Shelters</i> .....	19
Recommendations .....	21
Agency Response .....	22
Agency Response .....	22

Auditors' Comments .....	22
Evidence of Mistreatment of Animals in CACC Shelters.....	22
<i>Evidence That Some Animals Are</i>	
<i>Subjected to Abuse and Neglect</i> .....	24
Recommendations .....	26
Auditors' Comments .....	27
<i>Evidence of Accidental Euthanasias</i> .....	27
Recommendations .....	29
Auditors' Comments .....	29
<i>Evidence of Poor Veterinary Care</i> .....	29
Agency Response .....	34
Auditors' Comments .....	34
Recommendations .....	37
Agency Response .....	37
Auditors' Comments .....	38
CACC Has Not Made Aggressive Efforts to Increase Adoptions .....	39
Recent Adoption Statistics .....	39
Agency Response .....	41
Limited Public Awareness of CACC	
and Inadequate Efforts to Increase Public Awareness.....	41
<i>Limited Outreach, Marketing, and Public Education</i> .....	42
Agency Response .....	45
Recommendations .....	45
Auditors' Comments .....	46
CACC Has Made Inadequate Use of Off-Site Adoptions.....	46
Recommendations .....	48
Auditors' Comments .....	48
Lack of a Formal Customer Service Quality Assurance	
Program May Prevent CACC From Ensuring That its	
Adoption Process Is Encouraging to All Customers.....	49

Agency Response.....	50
Recommendations .....	51
Auditors’ Comments.....	51
CACC Has Discouraged Some Rescue Groups .....	51
Agency Response .....	53
Recommendations .....	53
Auditors’ Comments.....	54
CACC Limits the Pool of Animals Available for Adoption.....	54
Recommendations .....	55
Auditors' Comments.....	56
CACC Does Not Consistently Use	
the Bronx and Queens Facilities for Adoptions .....	56
Recommendation.....	56
Auditors’ Comments.....	57
Possible Causes of CACC’s Shortcomings.....	58
CACC Does Not Make Sufficient Efforts to	
Supplement City Funds with Donations.....	58
Recommendation.....	60
Auditors’ Comments.....	60
CACC Does Not Sufficiently Rely on Volunteers.....	60
Agency Response .....	63
Recommendations .....	64
Auditors’ Comments.....	64
CACC’s Management and Operations Are Not	
Focused on Achieving All Aspects of its Contract and Mission.....	64
Conclusion.....	67
Auditors’ Comments.....	67
Other Issues:.....	68

CACC’s Board Violated its Bylaws.....	68
Recommendation.....	68
Auditors’ Comments.....	68
CACC’s Board Appears To Be in Violation of the Letter and Spirit of the Open Meetings Law.....	69
Recommendation.....	69
Auditors’ Comments.....	69
Inadequacies of CACC’s Contract with DOH.....	70
Recommendation.....	71
Agency Response.....	71
 Discussion of CACC’s Response.....	73
 Overview.....	73
Alleged Political Influence and Bias in the Audit Process.....	74
Alleged Limited Audit Scope.....	75
Animal Care Issues.....	75
Veterinary Care Issues.....	76
Issues Concerning Adoption Efforts.....	77
Issues Related to Document Access.....	79
Issues Concerning Restrictions on Staff Interviews.....	80
Issues Related to the Audit’s Adherence to Generally Accepted Government Auditing Standards.....	81

## APPENDIX I

Additional Information.....	83
Understaffing.....	83
Evidence of Mistreatment of Animals in CACC Shelters.....	83
<i>Evidence of Animal Abuse and Neglect</i> .....	83
<i>Evidence of Accidental Euthanasias</i> .....	84
<i>Evidence of Poor Veterinary Care</i> .....	84

Lack of a Formal Customer Service Quality Assurance Program May Prevent CACC From Ensuring That its Adoption Process Is Encouraging to All Customers.....	85
CACC Has Discouraged Some Rescue Groups .....	85
CACC Limits the Pool of Animals Available for Adoption.....	86
CACC’s Management and its Operations Are Not Focused on Achieving All Aspects of its Mission and Contract.....	87

## APPENDIX II

Public Awareness Survey.....	88
------------------------------	----

## APPENDIX III

DOH Inspection Report.....	89
----------------------------	----

## ADDENDUM

*The City of New York  
Office of the Comptroller  
Bureau of Management Audit*

**Audit Report on the  
Shelter Conditions and Adoption Efforts of the  
Center for Animal Care and Control**

**ME01-109A**

---

**INTRODUCTION**

**Background**

The Center for Animal Care and Control (CACC) is a not-for-profit corporation that was formed for the purpose of providing animal care and control services in the City of New York. CACC was created in 1994 to assume the responsibilities of the American Society for the Prevention of Cruelty to Animals (ASPCA), after the ASPCA decided not to renew its contract to run New York City's animal shelter system. CACC entered into its own contract with the New York City Department of Health (DOH), and on January 1, 1995, followed the ASPCA as New York City's provider of animal care and control services.

CACC's contract with DOH requires that it "provide animal seizure, shelter and care services . . . and related services." In order to provide these services, CACC is to maintain an emergency telephone number for receiving complaints regarding animals, in response to which CACC is to seize "unlicensed or unleashed dogs, cats whose owners are not identified, vicious and dangerous animals, animals that have bitten, rabid or suspected rabid animals, prohibited, exotic or wild animals, and venomous reptiles and bats." CACC is also required to accept "animals which are lost, stray, homeless, unwanted or abandoned with professional caretakers," and to maintain a process by which all licensed dogs and owner-identified cats seized "may be expeditiously claimed and returned to their owners." CACC's contract further specifies that it "shall operate animal shelter facilities in the boroughs of Manhattan, Brooklyn, and Staten Island . . . open to the public on a 7 day a week, 24 hours a day schedule, every day of the year excluding major holidays." The "care of animals at the shelters shall include feeding, boarding (including bedding and cleaning of cages), watering, exercising, and provision for immediate first aid as required, including but not limited to isolation of sick animals as necessary." CACC is to "operate and maintain animal receiving facilities . . . in the boroughs of the Bronx and Queens." CACC "shall provide adoption services at the shelters and receiving facilities and shall promote adoption as a means of placing animals." In addition, "for all adopted dogs and cats [CACC] shall provide, or cause to be provided, spay/neuter services and administer rabies



immunizations pursuant to the New York City Health Code.” The contract also requires that CACC “enlist the aid of volunteers and . . . conduct education and community outreach concerning animal control and public health issues related thereto.”

Aside from the general requirements listed above, and the requirements that CACC “meet all its obligations under [the contract] in a humane manner and respecting the rights of the owners of animals as required by law,” that its shelters “hold animals and care for such animals in conformity with all applicable laws,” and that it “provide a healthy environment and humane care and treatment of animals kept at the [receiving centers],” the contract includes no performance requirements. Nor are there specific terms regarding required levels of care, staffing levels, adoption rates, extent of outreach efforts, etc.

CACC’s mission statement is quoted on its website and in its *Report 1998 & 1999* as follows:

“The Center for Animal Care and Control, Inc. is dedicated to providing humane care for all New York City animals in need, while protecting the public health and safety of New Yorkers. CACC will give the most humane care possible to the hundreds of animals that are brought to our shelters each day. The CACC works together with the citizens of New York City, including area shelters and humane organizations, to reduce the number of homeless animals through increased adoption, spay/neuter programs, animal rescue services and by heightening awareness about the responsibility of having an animal companion.”

In addition, according to the description of its mission in its staff manual,

“The CACC has numerous programs and provides numerous services. These include but are not limited to sheltering animals; picking up animals that are at-large, sick, or dangerous; returning lost animals to their owners whenever possible; providing for the adoption of homeless animals to responsible persons; and, when necessary, providing a humane and painless death.”

CACC provides these services to the approximately 60,000 animals that come into its shelter system each year at five facilities—three full-service shelters in Manhattan, Brooklyn, and Staten Island, and two small receiving centers in Queens and the Bronx.<sup>2</sup> The facilities are located at the following addresses: 326 East 110<sup>th</sup> Street in Manhattan; 2336 Linden Boulevard in Brooklyn; 3139 Veterans Road West in Staten Island; 92-29 Queens Boulevard in Queens; and 464 East Fordham Road in the Bronx. The full-service shelters hold animals; employ veterinary professionals to care for the animals; are open to receive animals from the public 24 hours a day, seven days a week (excluding major holidays); and provide adoption services for periods of from five to nine hours between 10:00 a.m. and 7:00 p.m., depending upon the shelter and the day of the week.<sup>3</sup> The receiving centers are open from 8:00 a.m. to 4:00 p.m., Tuesday

---

<sup>2</sup> The Manhattan, Brooklyn and Staten Island facilities are owned by the City, and the Queens and Bronx facilities are leased by the City. All facilities are operated and maintained by CACC.

<sup>3</sup> The Staten Island shelter became a full-service shelter on February 15, 2001. Before that, it was open from 8:00 a.m. to 8:00 p.m.

through Saturday to receive animals from the public, and provide adoption services from 11:00 a.m. to 3:00 p.m. The receiving centers do not house animals overnight, but transfer them to one of the full-service shelters within a few hours after their arrival. The vast majority of the animals that come into CACC's shelters are cats and dogs. The Manhattan shelter can house approximately 500 cats and dogs; the Brooklyn shelter, approximately 400; the Staten Island shelter, 150-200; and the Queens and Bronx receiving centers, 19 and 50, respectively.

CACC also has a Field Operations Division, which responds to calls from the public and government agencies, using a fleet of 15 rescue vans to pick up stray or homeless animals, animals that threaten public safety, and sick, injured or dangerous wildlife.

According to CACC's Monthly Animal Activity Reports, during calendar year 2000 a total of 60,877 animals came into its shelters—55,376 cats and dogs, and 5,501 other animals. Of these 60,877 animals, 14,270 were adopted, 677 were returned to their owners, and 41,203 were euthanized.<sup>4</sup>

During calendar year 2000, CACC had a total budget from DOH of approximately \$8.3 million. (DOH provided approximately \$8 million; and the remaining \$300,000 was funded from CACC's shelter revenues.) In addition to its five animal facilities, CACC has an administrative office in downtown Manhattan. During calendar year 2000, CACC employed approximately 170 people in its shelter, administrative, and executive functions.

## **Objective**

The objective of this audit was to evaluate the following two aspects of CACC's services:

- the conditions under which animals are sheltered in CACC's facilities; and
- the level and success of CACC's efforts to promote the adoption of animals from its shelters.

These two aspects of CACC's services are addressed in both CACC's contract and its mission statement. Specifically, CACC's contract with DOH states that CACC "shall meet all its obligations under [the contract] in a humane manner . . ." and that CACC "shall provide adoption services at the shelters and receiving facilities and shall promote adoption as a means of placing animals." CACC's mission statement states that CACC "is dedicated to providing humane care for all New York City animals in need . . . [and] the most humane care possible to the hundreds of animals that are brought to our shelters each day" and "works . . . to reduce the number of homeless animals through increased adoption, spay/neuter programs, animal rescue services and by heightening awareness."

---

<sup>4</sup> The remaining 4,727 of the total animals that came to CACC shelters include smaller categories, such as: animals released to freedom (e.g., pigeons), animals dead-on-arrival, and animals still remaining in the shelters at the end of the year.

Other areas of CACC's services that were not covered by the objectives of this audit include: picking up stray animals, accepting surrendered or lost animals, returning lost animals to their owners, spaying/neutering animals prior to placing them for adoption as a means of controlling the animal over-population problem, and, when necessary, providing a humane and painless death to animals. The table below summarizes CACC's major functions and shows which ones were covered by this audit:

### **Outline of CACC's Major Functions**

<b>Function</b>	<b>Function Related to Contract Requirement, Mission Statement, or Both</b>	<b>Covered by This Audit or Not Covered by This Audit</b>
Sheltering animals in a humane manner	Both	Covered by this audit
Reducing the number of homeless animals through adoption (includes providing adoption services, and promoting adoptions)	Both	Covered by this audit
Conducting public education and outreach, heightening awareness about the responsibilities of animal ownership	Both	Covered by this audit
Working with the citizens of NYC, including area shelters and humane organizations, to reduce the number of homeless animals	Mission Statement	Covered by this audit
Picking up animals that are at-large, sick, or dangerous	Both	Not covered by this audit
Accepting surrendered, lost, and stray animals	Both	Not covered by this audit
Returning lost animals to their owners	Contract Requirement	Not covered by this audit
Spaying/Neutering animals prior to placing them for adoption as a means of controlling the animal over-population problem in NYC	Both	Not covered by this audit
Providing a humane and painless death	Contract Requirement	Not covered by this audit

### **Scope and Methodology**

The scope of this audit was CACC's shelter conditions and adoption efforts between January 1, 1999, and June 30, 2001.

To obtain an overview of CACC's structure, services, operations, policies, and procedures, we interviewed all members of CACC's executive and managerial staff, including:

the executive director; deputy executive director/general counsel; controller; director of information technology; director of shelter operations; director of adoptions and volunteer services; director of facilities maintenance; director of human resources; director of field operations; director of external affairs; and all shelter managers and assistant shelter managers. We also interviewed two members of CACC's board of directors. We reviewed CACC's written policies and procedures, the Monthly Animal Activity Reports that CACC is required to submit to DOH, CACC's staff manual, CACC's 2000 Certified Public Accountant (CPA) report, and minutes for meetings of CACC's board of directors from January 1999 through June 2001. We also attended the board of directors' meetings held on January 4, March 15, and June 11, 2001. During the course of the audit, we reviewed CACC's personnel, disciplinary, financial, and marketing files, as well as data in the CACC shelter management computer system, known as "Chameleon."

To determine whether CACC is sheltering animals under humane conditions in compliance with its contract, we visited CACC's five facilities (the three full-service shelters and the two receiving centers) a total of 15 times between February and April 2001.

To evaluate the success of CACC's adoption efforts, we analyzed the data in the CACC Monthly Animal Activity Reports submitted to DOH for January 1999 through June 2001. To assess the level of CACC's efforts to promote adoption as a means for placing animals, we interviewed executive and managerial staff regarding adoption programs and marketing efforts, reviewed CACC's files on special events, off-site adoptions and advertising, and reviewed the CACC website.

To evaluate CACC's use of volunteers to help improve shelter conditions and increase animal adoptions, we interviewed executive and managerial staff and reviewed CACC's files on volunteer activities.

To determine how CACC's shelter operations, adoption efforts, reliance upon volunteers, and fundraising compare to those of other shelters across the country, we conducted a telephone survey of 13 municipal animal care and control centers in other major cities throughout the country. The following is a list of the organizations surveyed: Berkeley Animal Services, Berkeley, California; Humane Society of Boulder Valley, Boulder, Colorado; Chicago Animal Care and Control, Chicago, Illinois; Dallas Animal Control Shelter, Dallas, Texas; DC Animal Control, Washington, DC; Denver Animal Control and Shelter, Denver, Colorado; Dewey Animal Care Center, Las Vegas, Nevada; Bureau of Animal Regulation and Care (BARC), Houston, Texas; Maricopa County Animal Care and Control Services, Phoenix, Arizona; Pennsylvania Society for the Prevention of Cruelty to Animals, Philadelphia, Pennsylvania; San Francisco Animal Care and Control, San Francisco, California; Michigan Humane Society, Detroit, Michigan; and LA City Department of Animal Services, Los Angeles, California.

We also gathered information on several New York City area shelters to determine how CACC compares to them in terms of staffing levels, adoption efforts, reliance upon volunteers, and fundraising. Specifically, we made phone calls to and reviewed the websites maintained by: the American Society for the Prevention of Cruelty to Animals (ASPCA), which has an animal shelter in Manhattan; Bide-A-Wee, which has a shelter in Manhattan in addition to its two shelters on Long Island; the Brooklyn Animal Resource Coalition (B.A.R.C.), in Williamsburg

Brooklyn; and North Shore Animal League, on Long Island. We also reviewed these organizations' IRS Form 990s for 2000.

To determine the general public's level of awareness of CACC and its services, we conducted a telephone survey of New York City residents between March and June 2001. We surveyed a sample of 254 residents randomly selected from the White Pages telephone directories for all five boroughs of New York City. This sample of 254 residents included: 51 Bronx residents, 50 Brooklyn residents, 51 Manhattan residents, 51 Queens residents, and 51 Staten Island residents.

To determine the level of user satisfaction with CACC's adoption and shelter services, we conducted telephone surveys of CACC customers and rescue groups. We attempted to survey a random sample of 61 customers who had adopted or reclaimed an animal from CACC between January and March 2001, and were able to contact 33 of them. We were able to contact and survey 59 of 265 rescue groups that worked with CACC during calendar year 2000.<sup>5</sup>

Since we were unable to speak to current shelter staff without a supervisor being present (this is discussed in detail in the "Audit Limitations" section below), we interviewed former CACC employees in order to obtain information on CACC's actual practices. We were able to contact and survey eight of the 22 people we had identified through CACC's documents as being former employees who had stopped working for CACC between December 2000 and June 2001. These eight individuals had been employed in various positions at CACC, such as kennel attendant, service representative, and adoptions counselor. Two of the eight former employees had resigned from CACC, and six had been terminated.

To determine the merit of allegations of animal mistreatment at CACC made by former employees and rescuers, we attempted to review the personnel files maintained at CACC's administrative office, and the disciplinary action notices, notes-to-file, and managers' logbooks kept at each of the three shelters. (Disciplinary action notices and notes-to-file are similar to each other, with disciplinary action notices used for union employees, and notes-to-file for non-union employees.)

To determine whether DOH's funding level and CACC's budget were sufficient to allow CACC to properly care for and effectively promote the adoption of the animals in its shelters, we compared DOH's funding level of CACC and the CACC calendar year 2000 budget to the standards of the Humane Society of the United States.

This audit was conducted in accordance with Generally Accepted Government Auditing Standards (GAGAS), and included tests of the records and other auditing procedures considered necessary. This audit was performed in accordance with the City Comptroller's audit responsibilities as set forth in Chapter 5, § 93, of the New York City Charter.

---

<sup>5</sup> Rescue groups "adopt" animals by taking them from the CACC shelter and caring for them while attempting to place them in permanent adoptive homes. Adoptions by rescue groups are termed "special adoptions" in CACC's records.

## **Audit Limitations**

Throughout the audit, CACC imposed obstacles that prevented us from conducting audit tests as we deemed necessary. CACC prevented us from obtaining a complete and accurate view of its operations and from obtaining all of the information necessary to develop a full set of constructive recommendations to help improve its operations. In short, CACC imposed limitations upon our audit methodology, necessitating a qualification of the findings in this report.

The limitations imposed by CACC included its refusal to allow us to interview staff members without a supervisor being present, its refusal to allow us access to certain documents, and its delays in the production of some other records—causing us to question the validity and/or completeness of the records that were ultimately provided. In addition, it was very difficult to arrange a meeting with the board of directors, and only two members of the board eventually met with us. Each of these audit limitations is described in the sections below.

### **Denial of Full Access to Shelter Staff**

CACC's official position regarding our interviews with shelter staff members was that, with the exception of shelter managers and assistant shelter managers, we would not be permitted to interview any shelter staff members without a supervisory staff member being present. As a result, we were not able to independently interview any employees, such as kennel attendants, veterinarians, veterinary technicians, and adoption counselors, who would have been able to give us direct, first-person observations of CACC's actual daily operations, as opposed to its official policies. CACC imposed this denial of full access despite our repeated explanations that we needed the views of staff members from all levels within the organization in order to form a complete and accurate picture of the organization's operations. Our repeated assurances that we would ask for the executives' explanations for any conflicting information provided by staff members had no effect on CACC's stance.

Sometimes, employees do not feel that they can speak freely with a supervisor standing next to them. After learning of this limitation, we requested few interviews with kennel staff, since we did not feel that we could rely on their supervised statements. We did interview some staff members with their supervisors present, and in those instances, it appeared that the answers of the staff members were constrained. In some cases, the supervisor present answered questions that had been addressed to the staff member, obviously making it difficult for the staff member to contradict the supervisor. Even when we interviewed members of the senior management staff, a supervisor was nearly always present. Usually this supervisor was the deputy executive director/general counsel of the organization, and he took detailed notes on what we asked and what the staff member said. These circumstances were not conducive to honest discussions of CACC's operations and of any problems that CACC might be facing.

Based upon CACC's refusal to permit us to interview staff under circumstances that would allow them to speak freely, we could not obtain a full account of management problems,

inaccuracies in the organization's records, or possible misstatements of the organization's policies and practices.

### **Limitations on Access to Records**

CACC denied us access to certain records and, on a number of occasions, delayed our access to other records, leading us to suspect that we were intentionally prevented from viewing potentially adverse information regarding the conditions at CACC shelters and the treatment of the animals kept there.

The records which we were unable to review include the managers' logbooks and the notes-to-file at the Manhattan and Staten Island shelters. (We were specifically denied access to the managers' logbooks at both of these shelters and to the notes-to-file at the Manhattan shelter; we were told that there were no notes-to-file at the Staten Island shelter.) These documents contain written accounts of incidents that occur in the shelters, for example, when an employee abuses or mistreats an animal, when an owned animal is euthanized in error, or when an employee fails to perform his or her job properly. We can only reasonably assume that we were denied access to these records because CACC's executive management did not want us to review any potentially adverse information they contained. This assumption is supported by the fact that we did find adverse information in the manager's logbook and notes-to-file that we viewed at the Brooklyn shelter, and by the fact that CACC officials and employees attempted to mislead us—before denying us access altogether—by falsely claiming that some of these documents either did not exist or were kept elsewhere.

In addition to the denial of access to the managers' logbooks and the notes-to-file for the Manhattan and Staten Island shelters, we were also prevented from conducting a full review of CACC's personnel files. At the time when the executive director of CACC denied us access to the documents at the shelters, she also denied us any further access to all CACC documents. On September 10, 2001, we had begun an in-depth review of the personnel files at the CACC administrative offices that was interrupted by the September 11, 2001, attack on the World Trade Center. We had intended to return to the administrative offices to complete our in-depth review, but the executive director's denial prevented the completion of that review. Some of the personnel files that we had reviewed before the interruption contained evidence of employee neglect or abuse of animals. Again, we believe that CACC's actions prevented us from obtaining further evidence of serious problems at its shelters.

In addition to denying us access to certain records, CACC delayed our access to other records. Specifically, CACC delayed our access to the disciplinary action notices at the three full-service shelters and those personnel files that we were able to review before September 11, 2001. We requested access to and reviewed these documents before the executive director's denial of further access to CACC records. However, the delays between our request for and access to these documents ranged from one week to one month. We cannot be certain that the records to which we eventually gained access constitute a complete and unaltered set of the records requested. CACC officials often had explanations for the delays, such as that they were occupied with other work or that they had to check with the general counsel before handing over

the documents. However, all of the requests for access to records were made as part of our ongoing audit, after we had informed CACC management that we would need such access and that management should inform CACC staff to cooperate with our requests. Delays such as we encountered were far more frequent and disruptive to the audit than we customarily encounter while auditing City agencies or organizations with City contracts. The delays were part of an overall pattern of uncooperative behavior by CACC.

Some of the instances in which CACC denied or delayed our access to records are described in further detail in the relevant sections of this report.

### **Difficulty Meeting with the Board of Directors**

In addition to the limitations imposed by CACC's executive management, we had difficulty arranging a meeting with the members of CACC's board of directors. It took two months to arrange a meeting with the board. After failing to return many of our phone calls, board members apparently asked the general counsel to have his secretary set up a meeting with all of the board members at once. The board members did not inform us directly of this decision. When the meeting finally took place—two months after we had begun making phone calls to arrange it—only two of the six current board members were present. (CACC's general counsel was also present at the meeting, at the request of the board members.)

Therefore, we did not obtain all of the board members' opinions regarding CACC's management and operations. This is a serious limitation, since it is the board members who are ultimately responsible for overseeing the organization's operations.

### **Agency Response**

See audit summary, pages ES-11 to ES-16, for discussion of agency response.

**OFFICE OF THE COMPTROLLER  
NEW YORK CITY**

**DATE FILED: June 6, 2002**



## **FINDINGS AND RECOMMENDATIONS**

CACC does not provide humane conditions for all of the animals in its shelters and has not made aggressive efforts to increase adoptions of homeless animals. This report describes our findings in three main sections.

The first section, “Animals Are Not Always Sheltered under Humane Conditions,” discusses the inadequacies discovered during our visits to the shelters; evidence that animals in CACC shelters are sometimes subjected to abuse and neglect; the fact that some animals have been accidentally euthanized; and evidence of poor veterinary care in CACC shelters.

The second section, “CACC has Not Made Aggressive Efforts to Increase Adoptions,” presents recent CACC adoption statistics and discusses some of the likely reasons that adoption levels are low and have not improved over the last three years. These reasons include: limited public awareness of CACC and its adoption services and a lack of aggressive efforts by CACC to improve public awareness; inadequate use of off-site adoptions; inadequate efforts to ensure that the adoption process is encouraging to all potential adopters; CACC’s discouragement of some rescue groups that take animals from its shelters; the apparent inappropriate limitation of the pool of animals available for adoption; and a lack of adoption services at CACC’s Queens and Bronx facilities.

The third section of the report, “Possible Causes of CACC’s Shortcomings,” discusses the fact that CACC compounds the problem of under-funding by failing to aggressively raise funds on its own and by failing to take sufficient advantage of volunteers. It also discusses a problem evidenced by CACC leadership apparently interpreting the organization’s mission more narrowly than it was originally conceptualized and failing to aggressively pursue some of the goals outlined in its mission statement, such as, “providing humane care for all New York City animals in need” and “reducing the number of homeless animals through increased adoption.”

Lastly, under “Other Issues,” we discuss the facts that: CACC’s board violated its bylaws by meeting and voting on certain items without the required quorum present; CACC’s board appears to have violated the letter and spirit of the Open Meetings Law by speaking in a manner that prevented attendees from hearing their discussions; and CACC’s contract with DOH does not include specific and measurable performance requirements or standards.

Many of the findings in this report are supported by the results of our surveys of individuals acquainted with CACC’s operations (former employees, customers, and individuals from rescue groups who work with CACC) in addition to our document reviews, observations, and interviews with CACC management. (As discussed above, our ability to rely solely on CACC’s documents and the statements of its current staff members was limited by the organization’s uncooperative behavior.) In total, six of eight former employees, 36 of 59 rescuers, and 14 of 33 customers we surveyed criticized aspects of CACC’s operations and

management.<sup>6</sup> Their allegations and the results of our testing painted a similar picture—that of a shelter system in which: inadequate resources and staffing levels prevent the provision of some of the basic necessities for humane animal care; the frustrations of over-worked or unqualified employees are sometimes taken out on the animals; opportunities to help animals and increase adoptions are squandered; and, perhaps most notably, the status quo is perpetuated by a management that is not truly committed to all aspects of the organization’s contract and mission, namely, to provide high quality, humane, animal care and place as many animals as possible in adoptive homes. We realize that some of CACC’s former employees may not be entirely objective, but their statements, when considered along with the statements of the rescuers and customers we surveyed, as well as with our own observations, present compelling evidence of the conclusions described above.

### **Notes Regarding Exit Conference**

As stated earlier, an exit conference with DOH and CACC officials was held on March 4, 2002. Three issues raised during this meeting should be mentioned here.

First, DOH noted an inconsistency between our finding that animals in CACC’s care are not always sheltered under humane conditions, and the results of its own inspections of CACC facilities. To illustrate this point, DOH provided us with reports of 531 inspections of CACC facilities that were conducted by DOH veterinarians and public health sanitarians between January 1, 1999 and June 30, 2001. As DOH stated, those inspection reports did not reveal any cases of poor veterinary care or inhumane treatment. However, we do not believe that this is necessarily inconsistent with the findings in our report, because DOH veterinarians and public health sanitarians evaluate conditions in the shelters and the quality of care differently than we did. During their inspections, DOH veterinarians and health sanitarians look at 13 different areas, including floors, washrooms, wards, and infirmaries (many of which were not covered by our audit.) However, just as we did not cover in our audit all the areas that they cover in their inspections, they do not evaluate all of the conditions that we did (for example, how many animals had access to water at the time of the inspection). In addition, their inspections evaluate conditions more generally than we did, resulting in “yes” or “no” answers for conditions such as, “cages washable and clean,” and “separate, adequate, clean area provided for sick animals”; in contrast, we counted the number of cages that were soiled, and the number of wards in which healthy and contagious animals were housed together. Lastly, DOH inspections cover a specific point in time, and therefore could not have identified the instances of poor veterinary care, accidental euthanasia, and abuse and neglect that we uncovered through our review of CACC’s records and our surveys of past employees, rescuers and customers. Thus, while DOH’s inspection reports show that DOH has monitored CACC facilities through frequent on-site

---

<sup>6</sup> In addition to the individuals who were part of our surveys, we spoke to six former employees, five rescuers, and three customers who either contacted us after learning of the audit, or whom we contacted as part of our background research for the audit. Since these individuals had not been selected for our surveys through our sampling methodology, we did not present information from our conversations with them in the body of the report. However, since most of them (six of six former employees, three of five rescuers, and three of three customers) also criticized aspects of CACC’s operations and management, and their statements lent further support to many of the findings in this report, we included information from our conversations with these individuals in an appendix to the report.

inspections, they are not comparable to the type of review that we conducted and therefore neither contradict nor are inconsistent with the findings in this report. (In response to this audit, DOH officials used the above-mentioned inspection reports to formally disagree with our finding regarding inhumane conditions. We therefore conducted a more thorough analysis of DOH's inspection process and reports, and the results of that analysis, which concluded that the process and reports are flawed, are described starting on page 34 of this report).

The other two issues worth discussing were raised by CACC. First, CACC's executive director repeated a prior claim that the mission statement quoted in this report is not CACC's mission statement. In response, we pointed out that we quoted CACC's mission statement exactly as it appears on the organization's website and in its *Report 1998 & 1999*.<sup>7</sup> Therefore, the mission statement as cited in this report was quoted directly from CACC's own description of its mission statement. Shortly after the exit conference, CACC's mission statement was removed from its website.

Second, CACC's executive director claimed that CACC could not use volunteers more than it does because of prohibitions imposed by the employees' union. She stated that she would provide us with correspondence between CACC and the union documenting this fact, as well as with a copy of the union contract. The correspondence she described was never provided, and after reviewing the union contract, our attorneys concluded that the contract is very clear regarding this issue and directly contradicts the executive director's claim that CACC is limited in its use of volunteers. Specifically, the contract gives CACC the unlimited right to utilize volunteers as it sees fit, as long as the use of volunteers does not cause the layoff of any regular employee or prevent the replacement of a regular employee who leaves or is terminated.

---

<sup>7</sup> Although the sources of the mission statement are specified in this final report and in the draft report, they had not been specified in the preliminary draft report.

## **Animals Are Not Always Sheltered Under Humane Conditions**

### **Observations During Site Visits**

CACC does not always provide adequate conditions for the animals in its facilities. During our site visits to the five CACC facilities, we found that at the three full-service shelters, where animals spend most of their stay, dogs are rarely, if ever, exercised, animals were not provided constant access to water, and contagious animals were sometimes kept in the same wards as non-contagious animals. In the two larger shelters, Manhattan and Brooklyn, animals' cages were not consistently spot-cleaned, and as a result, animals were sometimes left in soiled cages. These conditions violate the provision in CACC's contract with DOH, that requires that it "meet all its obligations under [the contract] in a humane manner." Moreover, these conditions cause animals to become sick or dirty, and as a result, not only less appealing to potential adopters but also more likely to be euthanized.

According to CACC's contract with DOH:

"Care of animals at the shelters shall include feeding, boarding (including bedding and cleaning of cages), watering, exercising, and provision for immediate first aid as required, including but not limited to isolation of sick animals as necessary."

The contract also states that CACC must perform the following cleaning duties:

- "Daily cleaning and sanitization once per day of bathrooms, public areas, offices, kitchen, lounge, and animal areas.
- "Cleaning of all kennel areas, water bowls, hallways, floors and cleaning equipment.
- "Collection and proper disposal of animal waste throughout the day."

CACC's *Shelter Operation Executive Directives and Procedure Manual* further specifies that all animals must be provided "a constant supply of fresh water," that "water should be available at all times," and that shelter management is responsible for "maintaining the highest standards of sanitation and care of animals entrusted to their care."

Since CACC's contract does not include standards for animal care, we looked to the Humane Society of the United States (HSUS) for additional objective criteria against which to evaluate the conditions in CACC's shelters. According to the HSUS *Guidelines for the Operation of an Animal Shelter*:

"Stress reduction and disease control are your goals when determining how to separate animals. Separate animals as follows: dogs from cats, sick or injured animals from healthy animals, puppies and kittens from adult animals (unless the puppies and kittens are nursing), . . . nursing mothers and their young from all others. . . . Dogs confined in cages should be exercised in runs at least 4 feet by 10 feet twice daily or walked on a leash for at least 20 minutes twice daily. . . . [For both dogs and cats] water must be available at all times."

Most of the work involved in caring for the animals in CACC's shelters is performed by kennel attendants. According to CACC's job description and duty checklists for kennel attendants, they are responsible for providing the animals with food and water; performing a thorough cleaning of each assigned animal area once daily (including cleaning the floors and walls of the rooms, cleaning and sanitizing all of the animal cages and the animals' food and water bowls); maintaining and sanitizing all equipment used; handling and transporting animals to assigned areas; and continually spot-checking the cages, cleaning dirty cages, filling empty water bowls, and providing shredded paper for the animal cages when appropriate. The kennel attendants are also responsible for checking their assigned areas for sick or injured animals, broken or missing equipment, broken cages, missing animals, missing identification collars, and missing identifying cage cards, and reporting any such problems to the supervisor. According to CACC officials, during the day and up to midnight, the Manhattan shelter usually has between five and nine kennel attendants on duty to perform these tasks in caring for up to 500 cats and dogs; the Brooklyn shelter usually has between five and seven kennel attendants for up to 400 cats and dogs; and the Staten Island shelter usually has between one and four kennel attendants for up to 200 cats and dogs. There are fewer kennel attendants on duty during overnight shifts (one in Manhattan, three in Brooklyn, and two in Staten Island), but at the Manhattan and Brooklyn shelters, the thorough cleaning of all the wards and all the cages is not performed during these shifts. The Bronx and Queens receiving centers usually have between one and three kennel attendants on duty to care for the animals received at those facilities during the course of each day.

We conducted a total of 15 visits to the five CACC facilities. During these visits, we conducted 11 thorough walk-throughs, during which we reviewed and documented the conditions in every cage in each of the observable wards and animal areas,<sup>8</sup> and four quick walk-throughs, during which we observed the overall conditions in the shelters.<sup>9</sup> During each visit to a given facility, we did not always observe the same number of wards and animal areas since we were unable to observe some wards while they were undergoing a thorough cleaning.<sup>10</sup> (For the remainder of this report, we will refer to wards and animal areas as "wards.")

The shortcomings we observed during our visits to the five CACC facilities are detailed in the sections below.

---

<sup>8</sup> A ward is a closed room usually containing approximately 20 to 40 cat cages or 20 to 30 dog cages or runs. (There are also a few smaller wards in the Brooklyn and Manhattan shelters, such as the ward for exotic animals.) In addition, some animal cages in the Manhattan shelter are located in hallways—we refer to these as animal areas.

<sup>9</sup> Specifically, we conducted the following thorough walk-throughs: two at the Brooklyn shelter, three at the Manhattan shelter, three at the Staten Island shelter, two at the Bronx receiving center, and one at the Queens receiving center. We conducted the following quick walk-throughs: two at the Brooklyn shelter, one at the Manhattan shelter, and one at the Staten Island shelter.

<sup>10</sup> This was a practical limitation, not one imposed by CACC.

### **Dogs Are Rarely Exercised**

We found that the dogs in CACC shelters are not exercised regularly, if at all.<sup>11</sup> CACC's contract does not specify how frequently the animals must be exercised; however, according to the Humane Society of the United States (HSUS), dogs confined in cages should be exercised twice daily.

According to the director of shelter operations, dogs are exercised by being "walked on the dog runs." Our observations and interviews with shelter management revealed that this does not occur on a consistent basis.

We made three visits to the Manhattan shelter during which we viewed the dog runs, and found each time that there were no dogs in the 17 dog runs. We also observed, during our February 20, 2001 visit, a sign posted near the door leading to the dog runs that stated, "No dogs allowed in the outside runs until further notice."

We made three visits to the Brooklyn shelter during which we viewed the dog runs. During two of our visits, there were no dogs in the five dog runs, and during one of our visits, the five runs were being used to hold five dogs that had just been brought into the shelter (there was no other space for them).

We made four visits to the Staten Island shelter during which we viewed the dog runs. There were no dogs in the five dog runs during two of our visits, there were two dogs in the five dog runs during one of our visits, and there were three dogs in the five dog runs during the last visit.

According to CACC officials, all of the dogs in the Staten Island shelter are brought outside daily, but in the much larger Manhattan and Brooklyn shelters, it is more difficult to get all the dogs outside, and they have to "pick and choose" which dogs get to go in the runs.

CACC officials explained that the dogs are seldom exercised because of the lack of adequate staff. At one shelter, the shelter manager stated that there is "no staffing for exercise." Another official at this shelter stated that the only dogs that use the runs for exercise are those coming out of anesthesia after a spay or neutering operation. At another shelter, according to the shelter manager's description, the policy is to place 62 dogs in the outdoor runs in the course of each 24-hour day. However, another official at this same shelter informed us that the shelter is very short-staffed so the dogs are exercised only when the staff has some "down-time" available, or if the one CACC volunteer who walks dogs is there.

However, CACC generally does not use volunteers to supplement their staff in exercising dogs. According to CACC officials, during the time period that we conducted our audit tests, there was only one volunteer who walked dogs for the organization. This volunteer walked some of the dogs designated for adoption at the Brooklyn shelter on Saturdays, from 8:00 to 9:30 a.m.

---

<sup>11</sup> As the Bronx and Queens facilities are receiving centers where the animals remain only for several hours before being transported to one of the shelters, it was not appropriate to test whether animals are exercised at these facilities.

According to one official, another reason that dogs are not exercised at one of the shelters is that CACC is afraid of legal liability—and therefore does not allow staff to take dogs off the premises.

As stated earlier, CACC’s contract with DOH does not specify how frequently the dogs should be exercised. Without a clear performance requirement, DOH has no standard by which to evaluate CACC’s performance and ensure that it exercises dogs frequently enough. Moreover, without a specific performance requirement, it is difficult to calculate the money and staff needed to ensure that CACC can exercise the dogs properly, and therefore difficult to ensure that these needs are appropriately funded in the CACC contract budget.

As we observed, most dogs are kept in cages too small for them to walk around in. Keeping dogs in these cages for the duration of their stay in the shelter, without removing them to provide regular exercise, is inconsistent with CACC’s contractual obligation to DOH to “meet all its obligations under [the contract] in a humane manner.”

### **Animals Were Not Provided Constant Access to Water**

We found during our site visits that the animals in the Manhattan and Brooklyn shelters were not provided constant access to water.

According to both CACC’s *Shelter Operation Executive Directives and Procedure Manual*, and the HSUS *Guidelines for the Operation of an Animal Shelter*, water should be “available at all times.”

At CACC’s shelters, the provision of constant access to water is supposed to be ensured by continual spot-checking throughout the day. According to CACC’s job description and duty checklists for kennel attendants, in addition to performing a thorough cleaning of each animal area once daily (during which water bowls are to be cleaned and refilled), the kennel attendants are responsible for spot-checking the cages and ensuring that water bowls are filled at all times.

Based upon our observations during our site visits, it is evident that spot-checking and refilling of empty water bowls was not occurring on a consistent basis. Although in many of the wards all of the animals had access to water, in many of the other wards, many animals did not have access to water. (In most of the cases where animals did not have access to water, the animals’ water bowls were empty; in some of the cases, the water bowls had been overturned.)

During our three thorough walk-throughs at the Manhattan shelter, we found the following. During the first walk-through, animals in three of 19 wards lacked access to water. In those three wards, the total number of occupied cages without water was five of 48 (10%), ranging from one of 18 (6%) to three of 19 (16%) in each ward. During the second walk-through, animals in 17 of 20 wards lacked access to water. In those 17 wards, the total number of occupied cages without water was 145 of 294 (49%), ranging from two of 16 (13%) to six of six (100%) in each ward. During the third walk-through, animals in two of 21 wards lacked

access to water. In those two wards, the total number of occupied cages without water was 11 of 27 (41%), ranging from six of 22 (27%) to five of five (100%) in each ward.

We observed similar conditions during our two thorough walk-throughs at the Brooklyn shelter. During the first walk-through, animals in six of 14 wards lacked access to water. In those six wards, the total number of occupied cages without water was 13 of 118 (11%), ranging from two of 38 (5%) to two of five (40%) in each ward. During the second walk-through, animals in nine of 16 wards lacked access to water. In those nine wards, the total number of occupied cages without water was 86 of 251 (34%), ranging from one of 21 (5%) to 22 of 22 (100%) in each ward.

Since there was such a disparity between the conditions in the various wards—in some wards, all animals had access to water at the time of our observations, while in others none of the animals had access to water—we concluded that they were not being consistently spot-checked for empty water bowls.

Providing the animals with constant access to water seemed to be less of a problem at the Staten Island shelter. During the first of our three thorough walk-throughs there, in one of the four wards, one occupied cage lacked water; during the second walk-through, animals in six of 11 (55%) of the occupied cages in one ward lacked water; and during the third walk-through, all animals had access to water.

Providing water for the animals did not appear to be a problem at the Bronx and Queens receiving centers, probably because these small facilities have much higher staff-to-animal ratios.

**At the Manhattan and Brooklyn Shelters,**  
**Animals' Cages Were Not Consistently Spot-Cleaned**

During our site visits to the Manhattan and Brooklyn shelters, we found that the animals' cages were not consistently spot-cleaned, and as a result, animals were sometimes kept in soiled cages.<sup>12</sup>

According to CACC's *Shelter Operation Executive Directives and Procedure Manual*, shelter management is responsible for "maintaining the highest standards of sanitation." CACC's job description and duty checklists for kennel attendants describe how the animals' cages are to be kept clean. The kennel attendants are to perform a thorough cleaning of each animal area once daily (including cleaning the floors and walls of the rooms, cleaning and sanitizing all of the animal cages and the animals' food and water bowls), and throughout the rest of the day, are to spot-check and clean dirty cages.

---

<sup>12</sup> The cages were most frequently soiled with urine or feces; during one of the walk-throughs at the Manhattan shelter, a few of the cages were soiled with smeared soft food.



At the time of our site visits, however, it was evident that consistent spot-checking and cleaning was not going on in the Manhattan and Brooklyn shelters. Although many of the wards contained only clean cages, many others contained a significant number of soiled cages, indicating that they were not being continually spot-cleaned. In fact, some of the cages had obviously not been cleaned for quite some time, as they contained, for example, multiple piles of feces, partially dried-up feces, or the remaining stains from dried-up puddles of urine or diarrhea.

The following is a summary of our observations during our thorough walk-throughs at the Manhattan and Brooklyn shelters.

During the first of our three walk-throughs at the Manhattan shelter, six of 19 wards contained soiled cages. In those six wards, the total number of occupied cages that were soiled was 21 of 144 (15%), ranging from one of 37 (3%) to three of seven (43%) in each ward. During the second walk-through, 14 of 20 wards contained soiled cages. In those 14 wards, the total number of occupied cages that were soiled was 79 of 238 (33%), ranging from one of 22 (5%) to 31 of 32 (97%) in each ward. During the third walk-through, 10 of 21 wards contained soiled cages. In those 10 wards, the total number of occupied cages that were soiled was 27 of 172 (16%), ranging from one of 23 (4%) to five of five (100%) in each ward.

During the first of our two walk-throughs at the Brooklyn shelter, four of 14 wards contained soiled cages. In those four wards, the total number of occupied cages that were soiled was 12 of 46 (26%), ranging from two of 14 (14%) to two of five (40%) in each ward. During the second walk-through, nine of 16 wards contained soiled cages. In those nine wards, the total number of occupied cages that were soiled was 36 of 231 (16%), ranging from one of 20 (5%) to four of eight (50%) in each ward.

Since there was such a disparity between the conditions in the various wards—some were completely clean and some had a large number of soiled cages—we concluded that, while wards were being periodically cleaned, they were not being consistently spot-cleaned. Aside from the fact that some of the cages had obviously not been cleaned for quite some time, the fact that in some of the wards, as many as five out of five, seven out of 22, or 31 out of 32 cages were soiled (it is extremely unlikely that all of these animals soiled their cages at approximately the same time) makes it clear that continual spot-cleaning was not being performed.

Although keeping the animals' cages clean was a problem at the Brooklyn and Manhattan shelters, the cages at the Staten Island shelter were generally clean during our three thorough walk-throughs and our quick walk-through. Once again, this was also not a problem for the Bronx and Queens facilities, probably because they have higher staff-to-animal ratios.

### **Contagious Animals Were Kept In Wards with Healthy Animals**

During our site visits, we found that contagious animals were kept in the same wards as healthy animals in all three full-service shelters. Although the Manhattan and Brooklyn shelters have separate wards for contagious cats and dogs, we saw animals that were designated on their cage cards as contagious being sheltered in wards with other, healthy animals. The Staten Island

shelter does not even have a separate ward for contagious animals; all animals are kept in either the adoption wards or the stray wards. These conditions violate both CACC's contract with DOH, which states that "care of animals shall include . . . isolation of sick animals as necessary," and the HSUS *Guidelines for the Operation of an Animal Shelter*, which states that "sick or injured animals [should be separated] from healthy animals."

At the Manhattan and Brooklyn shelters we observed contagious animals mixed in with healthy animals during each of the three visits on which we tested for this condition. (During the first thorough walk-through at each facility, we did not note whether a contagious designation appeared on animals' cage cards, since we were not yet fully familiar with the cage card coding system.) Specifically, during one walk-through at the Manhattan shelter, seven of 20 wards contained contagious animals mixed in with healthy ones; during a second walk-through, five of 21 wards contained contagious animals mixed in with healthy ones. During a walk-through at the Brooklyn shelter, seven of 16 wards contained contagious animals mixed in with healthy ones.

As mentioned above, the Staten Island shelter does not have a ward for contagious animals separate from the adoption and stray animal wards. The shelter manager and the assistant shelter manager stated that when an animal is found to have a contagious infection, the procedure followed depends upon the condition and its severity. Animals with upper respiratory conditions are kept in the bottom cages only and treated with penicillin. Animals infected with Parvovirus are euthanized so that they do not infect the other animals.<sup>13</sup> The shelter manager and the assistant shelter manager, as well as two other Staten Island shelter workers, stated that these procedures were necessary since the Staten Island shelter does not have a separate ward for contagious animals.

Officials at the Staten Island shelter stated that CACC is working on converting the unused staff lounge into a medical suite, which will include a contagious animals ward.

Keeping contagious animals together with healthy ones is a violation of CACC's contract and HSUS guidelines. It obviously increases the likelihood that healthy animals will become sick and possibly be euthanized as a result.

### **Other Conditions Found at the Shelters**

In addition to the conditions discussed above, we found the following problems at the CACC shelters:

- During one thorough walk-through at the Manhattan shelter, we noticed that all of the dogs in two wards were wet. In fact, the cages were wet. The wards had just been cleaned, and apparently the cages were not dried before the animals were returned to their cages. This is inconsistent with CACC's Cage Cleaning Procedures. Moreover,

---

<sup>13</sup> Canine Parvovirus is a highly contagious viral disease that attacks the intestinal track, white blood cells, and in some cases, the heart muscle.

allowing animals to sit in wet cages increases their discomfort and the chance that they will become sick.

- During three thorough walk-throughs at the Manhattan shelter, two thorough walk-throughs at the Brooklyn shelter, and two quick walk-throughs at the Brooklyn shelter, we observed wards with cats and dogs in the same room, which increases the stress on the animals and is contrary to the HSUS *Guidelines for the Operation of an Animal Shelter*.
- We observed that in all three shelters there are no separate wards for nursing mother animals and their young, which is also contrary to the HSUS *Guidelines for the Operation of an Animal Shelter*.
- During our three thorough walk-throughs at the Manhattan shelter, we observed that there were some animals kept in the hallways instead of in wards. During the first walk-through, 44 dogs and 27 cats were in cages in hallways; during the second walk-through, 29 dogs and 28 cats were in hallway cages; and during the third walk-through, 20 dogs and 22 cats were in hallway cages. Hallway locations, because of their higher levels of traffic and noise, may be more stressful for animals.
- During one visit to the Manhattan shelter, we observed unidentified debris being blown out of the ventilation system. This indicates a possible problem with the ventilation system. We are uncertain about the implications of this condition for disease transmission to animals and humans.

In addition to our observations, interviews with former employees confirmed that shelter conditions need improvement. Four of the eight former employees surveyed criticized the conditions in CACC's shelters, citing unclean conditions and broken animal cages.

One of the reasons for the problems in the shelters seems to be inadequate staffing levels. Five current members of CACC shelter management and five former CACC employees made statements to us regarding the lack of adequate staffing at the shelters. Their statements linked low staffing levels to the inability to properly care for the animals, to keep the animals clean, and to exercise dogs.

A comparison of CACC kennel staff levels to those of some other area shelters shows, in fact, that CACC has a higher ratio of animals to staff. CACC employs 59 kennel staff at its five facilities to take care of the approximately 60,000 animals that come into its shelters each year—a ratio of 1,017 animals per kennel staff member.<sup>14</sup> In comparison, the ASPCA's shelter, which has an average annual intake of 2,000 animals, employs 20 animal care technicians—a ratio of 100 animals per animal care technician; the B.A.R.C., which has an average annual intake of

---

<sup>14</sup> The number of kennel staff employed by CACC was obtained from CACC's staffing status report as of December 4, 2000. We counted each of the four part-time positions as ".5." The number for kennel staff, 59, includes six full-time and one part-time positions that were vacant at the time. We did this to ensure the fairest comparison with other shelters, since it is possible that, during our interviews, the other area shelters may have reported total positions, instead of total filled positions (employees on staff at the time.)

1,200 to 2,000 animals, employs 11 kennel attendants—a ratio of 109 to 182 animals per kennel attendant; and Bide-A-Wee’s Manhattan location, which has an average annual intake of 1,500 animals, employs 12 full-time and three part-time staff members who handle customer service and medicating animals in addition to handling animals and performing kennel work—a ratio of 111 animals per staff member.<sup>15</sup>

The problem of inadequate staffing is exacerbated by the fact that CACC does not heavily recruit or rely on volunteers to supplement staff in caring for the animals in its shelters. As is discussed in a subsequent section of this report, many other shelters rely on volunteers much more heavily than does CACC.

The conditions described above indicate that CACC is not always providing humane care for the animals in its shelters, as required by its mission and its contract. Moreover, in addition to causing discomfort to the animals, a lack of water, soiled cages, lack of exercise, and exposure to contagious animals increase the chances that animals will become sick, and as a result not only be less appealing candidates for adoption, but also be more likely to be euthanized. Thus, these conditions hinder CACC in achieving one of its stated major goals, and the other main aspect of its mission—securing caring homes for animals.

## **Recommendations**

1. While additional funding will most likely be impossible to obtain in the near future, given New York City’s financial situation after the September 11<sup>th</sup> attack on the World Trade Center, we recommend that, if it ever becomes possible, DOH consider amending CACC’s contract to fund the hiring of additional kennel attendants. (The need to increase veterinary staff is addressed in Recommendation 13.) DOH and CACC should consult other shelters and organizations such as the Humane Society of the United States to determine appropriate staffing levels at CACC shelters. Required staffing levels should then be specified in the terms of CACC’s contract and provided for in the contract budget.

**Note:** As discussed later in this report, increasing staff through additional City funding is not the only way CACC can improve its services. For example, CACC should recruit and use many more volunteers to supplement staff in providing animal care and should conduct fundraising to raise money to hire additional staff. These issues are discussed in detail later in the report.

**Agency Response:** “DOH agrees with the recommendations to consider hiring additional kennel attendants and veterinary staff if additional funding becomes available. However,

---

<sup>15</sup> The number of kennel staff employed by the ASPCA’s shelter, B.A.R.C., and Bide-A-Wee’s Manhattan shelter were obtained through telephone interviews with officials at each of these shelters. We were unable to obtain staffing numbers from the fourth area shelter contacted—North Shore Animal League. The ratio of animals per staff member at Bide-A-Wee’s Manhattan location was calculated based on a total number of 13.5 staff members—each part-time staff member was counted as .5 staff members.

DOH and CACC are focusing on ways to improve services without additional DOH funding, i.e. developing a closer working relationship with the animal care community and developing strategies to better utilize current resources and increase funds raised from private entities. With increased funding from private sources, one of the potential uses will be to hire additional kennel staff for improved animal care services.”

2. We recommend that DOH amend CACC’s contract to include a specific requirement regarding how frequently dogs should be walked.

**Agency Response:** “The Department is currently renegotiating its contract with CACC to begin July 2002 and will include specific performance measures within the contract to enable DOH to better monitor contract compliance.”

We recommend that CACC:

3. Ensure that: dogs are walked; all animals have constant access to water; animals’ cages are kept clean; animals are put only into dry cages; and cats, dogs, contagious, and nursing animals are kept in separate areas.
4. Enforce the policy of separating contagious and non-contagious animals at all the shelters. At the Staten Island shelter, CACC should implement its plans to convert the unused staff lounge as soon as possible and set up a separate ward for the contagious animals.
5. Investigate the possibility of obtaining additional interns through area colleges to supplement staff in providing animal care.

**Auditors’ Comments:** See the report section entitled *Discussion of CACC’s Response*, which begins at page 73, and the Addendum for CACC’s response to each of this audit’s recommendations.

### **Evidence of Mistreatment of Animals in CACC Shelters**

Former employees and rescuers with whom we spoke reported that animals at CACC shelters, in addition to suffering under inadequate conditions, are sometimes mistreated. They recounted incidents in which animals were neglected or abused; were caused to suffer because of poor veterinary care; and were accidentally euthanized, even though they were owned or had been claimed for adoption. We attempted to determine the extent of these problems by reviewing, for the period January 1999 through April 2001, the personnel files in CACC’s administrative office and the disciplinary action notices, notes-to-file, and managers’ logbooks maintained at the shelters. However, CACC officials prevented us from conducting a full review of all of these documents.

We were able to review the disciplinary action notices maintained at all three full-service shelters and the notes-to-file at the Brooklyn shelter.<sup>16</sup> In addition, we were able to review the shelter manager's logbook at the Brooklyn shelter, when, in the absence of the shelter manager, we were—we believe mistakenly—given full access to all of the documents on the bookshelf in the shelter manager's office. We were also able to review the personnel files for 120 of the 312 employees who were employed at CACC at any time between January 1999 and April 2001. However, we were unable to review the notes-to-file and the shelter managers' logbooks at the Manhattan and Staten Island shelters, and the personnel files for 192 (62%) of the 312 employees. During our initial visits to review documents at the Manhattan and Staten Island shelters we were not shown the notes-to-file and the shelter managers' logbooks even though we had requested any documents related to employee disciplinary issues or incidents that occurred at the shelters. When we later returned to the Manhattan and Staten Island shelters and specifically requested access to those documents, the executive director denied us access to those and any other CACC documents. As a result of this denial of further access to any CACC documents, we were also unable to complete our review of the personnel files.

It should also be noted that CACC delayed our access to all the documents that we were able to review. (The time between our request for and actual access to each of these sets of documents ranged from one week to one month.) Therefore, we cannot be sure that even the documents we gained constitute a complete and unaltered set of the requested records.

In addition, not all the sets of documents that we obtained covered the full period that we had intended to review. The disciplinary action notices from the Brooklyn and Manhattan shelters, the notes-to-file from the Brooklyn shelter, and the personnel files we reviewed did cover the full period—January 1999 through April 2001. However, the disciplinary action notices and notes-to-file from the Staten Island shelter included records from only May 2000 through April 2001, and the Brooklyn shelter manager's logbook covered only March 2000 through April 2001.

As described below, during our review of the limited sample of documents that we had obtained access to, we came across a number of recorded instances of mistreatment of animals in CACC shelters. These preliminary findings, coupled with CACC's lack of cooperation during this audit, give rise to a serious concern that additional instances of mistreatment may not have been detected by our audit. In addition to refusing to allow us to review all of the relevant documents, CACC officials repeatedly attempted to mislead us by claiming that certain documents either did not exist or were kept elsewhere. For example, during our first attempt to review records at the Manhattan shelter, we were told that notes-to-file were not kept at the shelter—that they were kept only at the administrative office. However, during our second attempt to review records at this shelter, a non-managerial employee showed us the notes-to-file binder (before the CACC legal counsel and executive director became involved in the situation and denied our access to all documents). During this second attempt, we were also told that there was no manager's logbook, since all CACC managers had discontinued the practice of recording managers' notes on paper in 1999 when they began recording them only in the

---

<sup>16</sup> We limited our review of documents to the three full-service shelters, since these are the facilities where animals spend most of their stay—animals are only kept for a few hours at the Bronx and Queens receiving centers.

computer system. However, we know that this is not the case, since we had already reviewed the Brooklyn shelter manager's logbook through April 2001.

The following three sections present the evidence of animal mistreatment that we obtained through our limited review of the relevant documents, as well as through our conversations with rescuers, former employees, and customers. Of the 42 employees at the Brooklyn shelter for whom we were able to review all relevant sets of documents (personnel files, shelter manager's logbook, and disciplinary action notices or notes-to-file), eight (19%) were cited between January 1999 and April 2001 for animal mistreatment—animal abuse or neglect, accidental euthanasias, or poor veterinary care.<sup>17</sup> When reviewing the incomplete array of documents—to which we had gained access—that were relevant to the remaining shelter employees, we found evidence that 21 additional employees were cited for these issues. In addition, of the eight former employees interviewed, four informed us of animal abuse and neglect cases, accidental euthanasias, or poor veterinary care; of the 59 rescuers surveyed, 17 made allegations about these three types of animal mistreatment; and of the 33 customers we surveyed, five complained about poor veterinary care.

For the reasons outlined above, we believe that the extent of the problem is even greater than we were able to determine through our review of CACC's documents. This belief was confirmed when we found, in documents CACC provided to us after the exit conference, three additional cases of animal abuse, five additional errors of the type that can lead to the accidental or inappropriate euthanasia of animals, and one additional instance of poor veterinary care practices—all of which occurred during our audit period and would have been included in our document review had we been given those documents. Clearly, we have no way of knowing how many more incidents may have occurred that we did not discover through our document review.

### **Evidence That Some Animals Are Subjected to Abuse and Neglect**

We found evidence of animal abuse and neglect during our document review, as well as during our interviews with rescuers and former employees. Of the 42 employees at the Brooklyn shelter for whom we were able to review all relevant sets of documents (personnel files, disciplinary action notices, notes-to-file, and shelter manager's logbook), two (5%) were cited for animal abuse or neglect between January 1999 and April 2001. When reviewing the incomplete array of documents—to which we had gained access—that were relevant to the remaining shelter employees, we found evidence that 10 additional employees at the Manhattan and Brooklyn shelters were cited for animal abuse or neglect. In addition, three of the eight former employees interviewed informed us of animal abuse or neglect at the shelters, and eight of the 59 rescuers surveyed reported cases of animal abuse or neglect.

---

<sup>17</sup> These 42 Brooklyn shelter employees are the only employees for whom we were able to review all relevant sets of documents. Even for these employees, however, our document review was not complete, since the Brooklyn shelter manager's logbook did not include the period January 1999 through February 2000.

We found 13 instances of animal abuse or neglect involving 12 employees, during our document review. Six of these incidents occurred at the Brooklyn shelter, and seven occurred at the Manhattan shelter between January 1999 through April 2001. These incidents included, but were not limited to, an employee turning a water hose on an animal in its cage; an employee washing cages while the animals were still in them; an employee dragging a dog with a rope around its neck and mouth; and an employee hanging a cat by its foot using a “snappy snare” and, on another occasion, slapping a kitten.

According to CACC’s *Shelter Operation Executive Directives and Procedure Manual*, “physical cruelty to animals” is one of the actions that “will result in discharge or such other disciplinary action as [CACC] may determine.” In addition, the assistant manager at the Manhattan shelter informed us that a staff member who abuses an animal is immediately dismissed. However, though they were documented, not all of these animal abuse or neglect cases resulted in the dismissal of the responsible party. According to the disciplinary write-ups we reviewed, some of the employees cited for animal abuse or neglect were merely suspended for one day—including an employee who had used a cat-grabbing device without permission, resulting in the death of the cat. The employee mentioned earlier, who hanged a cat by its foot and slapped a kitten, received only a note-to-file. In fact, of the seven write-ups we saw documenting obvious physical abuse, only two resulted in immediate terminations, and four of the seven employees known to have been involved were still employed at CACC at the time of our review, as much as 23 months after being cited for animal abuse.<sup>18</sup>

Since we were unable to review many of the relevant documents, we do not believe that we saw records of all the instances of animal abuse and neglect that occurred at the shelters between January 1999 and April 2001. Even for those employees at the Brooklyn shelter for whom we were able to review all relevant sets of documents, we cannot be sure that we saw all of the recorded instances of abuse and neglect, since the delays imposed by CACC would have allowed for the alteration or removal of individual documents.

In fact, as was described above, after the exit conference, CACC provided us with documentation of three additional cases of animal abuse—documentation that we had never seen before, although all three cases were covered by the scope of our document review. The documentation provided by CACC confirmed two cases of animal abuse that had been described to us by former employees who had either contacted us or whom we contacted as part of our background research for this audit, and one case that we were not previously aware of.<sup>19</sup> In one of these cases, an employee allowed a pitbull that he was holding by a leash to lunge and attack a caged cat. This employee was fired. In another case, someone hit a dog twice and sprayed a toxin in the dog’s eye; the dog’s cornea was reportedly “gone” as a result. Despite CACC’s efforts, the perpetrator of this act was never identified. In the third case, an employee was suspended for one day for cleaning a dog’s cage while the dog was still in the cage.

---

<sup>18</sup> One of the write-ups did not include the name of the employee involved and was not included in any of the personnel files that we were able to review.

<sup>19</sup> Since we had not seen evidence in CACC’s documents of the two cases of animal abuse that had been described to us by former employees who contacted us or whom we contacted as part of our research, we did not include them in the body of the preliminary draft report—they are included in an Appendix to the report.



We were also told of instances of animal abuse and neglect during our surveys of rescue groups and former employees of CACC.

Of the 59 rescue groups, eight reported cases of some form of animal abuse or neglect. One rescuer spoke of an incident in which she went to adopt a dog that, according to the CACC employee who had called her, had been in the Brooklyn shelter for three weeks. When she went to pick up the dog, it had a smashed femur and injured genitals. The dog had not received medical treatment for these injuries during its three-week stay at CACC. Another rescuer stated that she picked up a cat at the Manhattan shelter with lesions on its face and paws. This cat's intake card did not indicate that the cat was injured when it arrived at the shelter. The rescuer's veterinarian stated that the cat may have been doused with a chemical. Another rescuer stated that he was aware of an incident when an employee put a pitbull on a leash and had it attack a cat. (This was the same incident described by the former employee). Yet another rescuer spoke of an incident when a girl's dog was hit by a car: the girl found her dog at CACC, but upon realizing that CACC was not providing any care or treatment to the injured dog, she reclaimed the dog and removed it from the shelter. Another rescuer stated that the animals are not treated well in CACC shelters, saying, for example, that he had picked up a dog that was covered in feces. Three other rescuers also spoke about the general neglect of the animals at CACC, stating that animals are not very clean, are not taken care of, and sometimes do not even have water.

Of the eight former employees, three made allegations regarding animal abuse or neglect. One stated that he witnessed an animal handler abusing an anesthetized animal. Another stated that dogs did not get exercised and were not consistently given water or food. The third stated that animals cannot be cleaned (for example, of fleas and ticks) due to the lack of staffing.

One factor contributing to some employees' abusive or neglectful behavior towards the animals may be the fact that shelter staff are overworked. Our review of the disciplinary action notices and notes-to-file revealed that shelter staff are often forced to work double shifts. The inevitably tired, stressed kennel staff may take out their frustrations on the animals.

CACC should immediately terminate employees who physically abuse animals and take strict disciplinary action against employees who neglect animals. By keeping abusive or neglectful staff in its employ, CACC exposes other animals to similar treatment and also exposes itself to legal liability. By terminating an employee who abuses animals immediately, CACC would send a message to other employees, as well as to the community, that CACC has no tolerance for the mistreatment of the animals in its care.

## **Recommendations**

We recommend that CACC:

6. Immediately terminate any employee who physically abuses any animal.
7. Provide more supervision of CACC employees, particularly the kennel attendants, who are directly responsible for the care of the animals.

8. Provide employee support services to help employees deal with their frustrations and to prevent them from releasing their frustrations on the animals.
9. Reconsider its forced overtime policy, possibly offering incentives for staff members to come in and work shifts for which they are not scheduled, rather than forcing employees to work two shifts in a row. Possible incentives could include: the option of swapping shifts with other employees, “merit raises” for outstanding job performance, and additional employee recognition awards.
10. Explore ways to recruit more qualified, dedicated staff, such as increasing reliance on recruiting part-time employees from animal science-related programs at area colleges.

**Auditors’ Comments:** See the report section entitled Discussion of CACC’s Response, which begins at page 73, and the Addendum for CACC’s response to each of this audit’s recommendations.

### **Evidence of Accidental Euthanasias**

Some animals have been accidentally euthanized at CACC shelters. We found evidence of accidental euthanasias during our document review, as well as during our interviews with former employees and rescuers. Of the 42 employees at the Brooklyn shelter for whom we were able to review all relevant sets of documents, four (10%) were cited for actions that resulted in the euthanasia of owned or claimed animals between January 1999 and April 2001. When reviewing the incomplete array of documents—to which we had gained access—that were relevant to the remaining shelter employees, we found evidence that six additional employees at the Brooklyn and Manhattan shelters were cited for such actions. In addition, two of the eight former employees and two of the 59 rescuers spoke about the problem of accidental or inappropriate euthanasias. There was a total of 13 specific incidents of accidental euthanasias recorded in the documents reviewed or described by former employees. As a result of these incidents, at least five pets whose owners had already claimed ownership were euthanized before their owners were able to pick them up, and at least four animals that had been claimed by rescue groups were euthanized before the rescuers could take them out of the shelters.

CACC’s contract with DOH, states,

“[CACC] shall make every reasonable effort to place animals for adoption and shall euthanize animals only when required as a last resort.”

According to CACC’s written policies, an animal may have a Hold placed upon it, prohibiting anyone from euthanizing or adopting it for a specified period of time. For instance, if an animal has some form of identification, such as a traceable tag, a microchip, or a tattoo, then CACC is required to hold it for a 10-day period. If a pet owner is arrested, hospitalized, or has died, then CACC is required to hold the animal for a five-day period. Once a Hold is placed on an animal (the Hold must be indicated in CACC’s Chameleon computer system and on the

animal's kennel card), a letter is to be prepared immediately and mailed to the owner's address. The holding period starts the day after a notification letter is sent to the owner, thus allowing two days for mail delivery.

If an animal does not have some form of identification, CACC is supposed to create a Found Report in Chameleon, which should include all the information about the animal (e.g., sex, breed, color, and any distinguishing marks). This Found Report is supposed to be cross-checked against any Lost Animal Reports (which are created whenever a person informs CACC that they have lost an animal) to determine whether there are any possible matches.

When the holding period ends, if there has been no contact from the owner, then the shelter manager or assistant shelter manager may remove the Hold, releasing the animal to the shelter for adoption or euthanasia. If there has been some contact with the owner, then the owner must be given a final notice regarding the latest date and time by which he or she may come into the shelter to reclaim the animal. Once the final notice time has expired, the shelter manager or assistant shelter manager may remove the Hold.

According to CACC's policies, no Hold animal may be euthanized, even if it is included in a pre-euthanasia report (the list of animals to be euthanized, prepared before each half-day shift).

However, animals at CACC shelters are being accidentally and needlessly euthanized. During our document review, we found reports of ten accidental euthanasias between January 1999 and April 2001. Six of these incidents occurred at the Brooklyn shelter and four at the Manhattan shelter. Six of these accidental euthanasias occurred when a staff member failed to place a Hold or a memo into the Chameleon system to indicate that an animal would be reclaimed by its owner or had been chosen by a rescue group for adoption; four animals were euthanized even though a Hold had been placed on each.

Again, we must state that our delayed access to the records we reviewed, the fact that we could not review the shelter managers' logbooks or notes-to-file at the Manhattan and Staten Island shelters, and our inability to speak independently to current staff prevented us from knowing whether we viewed records of all accidental euthanasias that occurred between January 1999 and April 2001, and from understanding the true extent of the problem.

Two of the eight former CACC staff members surveyed spoke about the problem of accidental or inappropriate euthanasias. One former staff member spoke of how an employee's failure to follow-up on a rescuer's interest in an animal resulted in the euthanasia of this animal. Another former staff member spoke of a case in which he told CACC he would be willing to adopt a certain dog if no one else was willing to take it, but despite his request, CACC euthanized the dog a few days later. This former staff member also described a case in which an employee neglected to enter a memo into Chameleon and, as a result, a dog was put down two hours before the rescuer who had claimed the dog for adoption came for it. He stated that the employee who had neglected to enter a memo into Chameleon "never puts memos into Chameleon."

In addition, two of the 59 rescuers we interviewed made allegations regarding accidental or inappropriate euthanasias. One rescuer stated that CACC staff overlook Hold memos and put animals down. This rescuer described an incident when she had asked CACC to place a Hold on a dog that she was going to claim once it had been neutered, but instead, the dog was put down. This rescuer claimed that such incidents—when CACC euthanizes animals that have Holds placed on them—have occurred numerous times. Another rescuer stated that there were “tons of times” when rescuers were scheduled to pick up animals, but the animals were put down instead.

In fact, we found documentation of 34 instances in which employees made the types of mistakes that could lead to the accidental or inappropriate euthanasia of animals (the two most common mistakes were failing to enter a Hold memo into Chameleon and failing to enter correct or complete information on the animal into Chameleon). This indicates the potential for even greater numbers of accidental euthanasias.

Again confirming our belief that our document review did not reveal the full extent of the problems at CACC, documentation that CACC provided to us after the exit conference revealed an additional five instances in which employees made the types of mistakes that could lead to the accidental or inappropriate euthanasia of animals.

In conclusion, it appears that staff’s failures to enter Hold memos into Chameleon, inadequate oversight of the Hold status of animals, and poor record keeping have all contributed to the accidental euthanasia of animals. These actions undermine CACC’s goal of securing caring homes for animals.

## **Recommendations**

We recommend that CACC:

11. Provide staff with continuous training concerning the use of the Chameleon system and the importance of entering the various types of information.
12. Provide additional training on and increased supervision of the euthanasia process to ensure that all control procedures are followed.

**Auditors’ Comments:** See the report section entitled *Discussion of CACC’s Response*, which begins at page 73, and the Addendum for CACC’s response to each of this audit’s recommendations.

## **Evidence of Poor Veterinary Care**

We found evidence of poor veterinary care during our document review and our interviews with former employees, rescuers and customers. Of the seven veterinary staff members at the Brooklyn shelter for whom we were able to review all relevant sets of documents (personnel files, disciplinary action notices, notes-to-file, and shelter manager’s logbook), three

(43%) were cited for instances of poor veterinary care between January 1999 and April 2001. When reviewing the incomplete array of documents—to which we had gained access—that were relevant to the remaining shelter employees, we found evidence that five additional veterinary staff members at the Manhattan shelter were cited for poor veterinary care. In addition, one of eight former employees, 10 of 59 rescuers, and five of 33 customers criticized CACC’s veterinary care. (Again, we must qualify our finding by stating that we may not have seen all the records of reported incidents of poor veterinary care from the period January 1999 through April 2001, and we were unable to speak to current shelter staff independently regarding veterinary practices.)

According to the New York Education Law, Article 135, § 6701, the practice of the profession of veterinary medicine is defined as,

“diagnosing, treating, operating, or prescribing for any animal disease, pain, injury, deformity or physical condition, or the subcutaneous insertion of a microchip intended to be used to identify an animal.” [sic]

CACC’s job description for staff veterinarians states that,

“The Staff Veterinarian is responsible, in cooperation with the Kennel Coordinator, for the overall health and care of all CACC animals. Rounds shall be conducted and **completed** each morning by the Staff Veterinarian **before 9 a.m.**, beginning first with the Adoption wards, and any animal scheduled for surgery, to include visual observation of all animals in the CACC facility. At that time, individual health issues will be addressed by the Staff Veterinarian and either appropriate actions taken or directed to appropriate staff. . . . The Staff Veterinarian will be responsible for ensuring that all Shelter Medical procedures are adhered to and that treatments, euthanasia, and hold procedures are carried out professionally and in accordance with CACC policies. . . . The Staff Veterinarian will direct and assist Veterinary Technicians . . . with the examination and status of arriving animals. . . . The Staff Veterinarian will be responsible for the direct supervision and training of all . . . veterinary technicians.” [Emphasis in original.]

However, CACC has sometimes provided sub-standard care to animals. Our document review revealed various reports of poor veterinary care administered by one veterinarian and seven veterinary technicians. The following are some examples of the reports we reviewed.

A veterinarian was cited for instances of neglect dating back at least to March 1999. For example, this veterinarian was cited for approving an Owner’s Request for Euthanasia of a five-year-old poodle without examining the dog. (This is a violation of CACC’s written procedures.) Another time, this veterinarian refused to do rounds for a certain area; therefore, the veterinarian did not examine all the animals identified as requiring examination. In another incident, this veterinarian failed to see a dog that came in with severe bite marks and open wounds, leaving the animal to suffer needlessly. Despite repeated cases of neglect and outright refusal to carry out

certain responsibilities, this veterinarian continued in her position until her resignation in April 2001.

One veterinary technician was cited eight times between January 1999 and April 2001 for poor animal care practice. One report cites the veterinary technician for inappropriately classifying the status of a cat and thus failing to recommend the necessary euthanasia to relieve its obvious pain and suffering. (The cat had a large infected wound on its neck that was infested with maggots.) Another report stated that when examining a dog, the veterinary technician failed to notice that the dog's collar was too tight and injuring the dog's neck. Another report cited the veterinary technician for failing to examine tranquilized animals thoroughly. Despite these and other incidents, this veterinary technician still remains on the job.

Another veterinary technician was cited for poor animal care practices seven times between February 1999 and June 2000, including two times for leaving her shift before tending to animals. (On one of these occasions she left six animals unexamined and 17 animals not euthanized, and on the other occasion she left two injured animals unexamined.) In another instance, the veterinary technician entered a classification of "euthanized" into the Chameleon computer system for a cat that was later found alive in a cabinet of the euthanasia room. In yet another incident, this veterinary technician failed to follow proper procedures regarding an animal with a DOH Hold placed on it. In addition, documentation that CACC provided to us after the exit conference included one other incident in which this veterinary technician left at the end of her shift, even though she had been told that an injured animal was being brought in by the rescue department. Although these written citations date back to at least as early as February 1999, this veterinary technician remains on the job at CACC.

Another veterinary technician was cited for failure to work though an assigned shift, and failure to administer morning treatments to animals requiring medication. Yet another veterinary technician was cited for failing to properly examine an already neutered dog and therefore sending it to be neutered again. (The write-up stated that this was the second incident of this nature.)

In addition to the incidents of poor veterinary care cited in the documents reviewed, other incidents were revealed during our surveys of rescue groups, customers, and former employees. Because some veterinary procedures (spaying and neutering procedures and some emergency procedures) may be performed either at CACC facilities or at outside veterinary clinics,<sup>20</sup> in some cases, it was not clear whether the complaints referred to CACC personnel or to personnel at facilities under contract with CACC.

Ten of the 59 rescuers we spoke to complained about the quality of CACC's veterinary care, and six gave specific examples of poor care. One rescuer stated that an animal he adopted

---

<sup>20</sup> Spay/neuter procedures may be performed by outside veterinary clinics under contract with CACC. CACC entered into agreements with veterinary clinics to perform spay/neuter surgeries in order to ensure its ability to comply with the spay/neuter law that went into effect in November 2000—the law requires that all animals leaving New York City shelters be altered prior to leaving (unless a medical waiver is given or breeding documents are presented).

Emergency procedures may be performed at outside veterinary clinics that are not under contract with CACC.

had only one testicle removed during its neutering. In another case, this same rescuer took a dog from CACC and noticed that it was bleeding and unable to sit. When an outside veterinarian performed exploratory surgery on the dog, he found that the person who had performed the dog's alteration had left two gauze pads inside the dog and had attached one stitch to the bladder. Another rescuer mentioned two incidents—one in which a dog developed an infection from undissolved stitches and another in which a dog's dislocated hip went undetected by CACC's veterinary staff. One rescuer spoke of a case in which CACC had spayed a kitten that he said was too young to be altered. The kitten had cuts from the razor used to shave the area and got an infection from the procedure. This rescuer also stated that most of the female animals that he gets from CACC have infections on their abdomens, and most of the males have infections on their scrotums. Another rescuer spoke of a spayed cat she had taken from CACC; because the veterinarian had left an ovary in place, the cat went into heat and had to be re-spayed. Still another rescuer spoke of a four-month-old puppy with a broken leg that she adopted from CACC. Before she could take the puppy, CACC sent it to an outside veterinarian for care but it was apparently left without care for three days. When the rescuer went to pick up the puppy from the veterinarian, its leg was not splinted. This rescuer also stated that in her experience, the surgeries performed on CACC animals were "very sloppy." Still another rescuer stated that a kitten she was fostering developed a hemorrhage as a result of a badly performed spaying, as confirmed by her own veterinarian. (This spaying had been performed by one of CACC's contracted veterinarians.) The four other rescuers who criticized CACC's veterinary care complained about the fact that veterinarians commonly give wrong diagnoses and that CACC does not have adequate facilities or personnel to properly carry out the requirements of the new spay/neuter law, among other things.

In addition to these complaints, five rescuers stated that CACC's veterinary staff often misevaluate animals and frequently provide incorrect information on the animals' sex and age.

Our survey of 33 CACC customers revealed a few more incidents of poor veterinary care. Five of the 33 customers voiced complaints about CACC's veterinary care. One customer felt that the CACC-contracted veterinarian from whom he picked up his cats was not truthful when he released cats to him without informing him that they were infected with fleas and upper respiratory conditions. Another customer who re-claimed his lost dog from CACC was angry at CACC for not permitting him to take his dog out of the shelter before neutering it, despite the fact that he had produced special breeding documents for the dog. According to this customer, under the law, the documents should have exempted the dog from being altered and would have allowed him to use the dog for breeding purposes, as he had planned. Two customers made complaints regarding their animals' alterations. One stated that her cat's incision did not look as if it had been performed well and the other customer said that the area above her animal's scar had been infected by the stitches. Another customer complained about the lack of veterinary services at the Brooklyn shelter. Also, two customers complained that their dogs had been misevaluated.

One of the eight former CACC employees we surveyed criticized CACC's veterinary care. This former employee stated that since the veterinarian was not always present at the shelter, veterinary technicians performed many of the procedures.

Understaffing is one possible reason for the veterinary care problems described above. A comparison of CACC veterinary staffing levels to those of other area shelters shows that CACC's veterinary staff are responsible for far greater numbers of animals. According to the CACC employee list dated June 2001, CACC employs six veterinarians, 21 veterinary technicians, three of whom are part-time, and two veterinary technician interns (27.5 total veterinary staff) to provide medical care for the approximately 60,000 animals that come into its shelters each year.<sup>21</sup> This is a ratio of approximately 10,000 animals per veterinarian and 2,181 animals per veterinary staff member. In contrast, the ASPCA's shelter, which has an average annual intake of 2,000 animals, employs two full-time veterinarians—a ratio of 1,000 animals per veterinarian/veterinary staff member. Moreover, ASPCA's shelter veterinarians are not responsible for performing spay/neuter procedures, as are CACC's veterinarians; all spaying/neutering for adoptions is performed at ASPCA's full-service animal hospital. B.A.R.C., which has an average annual intake of 1,200 to 2,000 animals, employs one full-time veterinarian, one full-time veterinary technician, and four part-time veterinary technicians (4 total veterinary staff)—a ratio of 1,200 to 2,000 animals per veterinarian and 300 to 500 animals per veterinary staff member. Bide-A-Wee's Manhattan location, which has an average annual intake of 1,500 animals, employs one full-time veterinarian and one full-time veterinary technician—a ratio of 1,500 animals per veterinarian, and 750 animals per veterinary staff member, overall.<sup>22</sup>

Another cause of some of the problems with veterinary care may be the fact that CACC relies primarily upon its 21 veterinary technicians (13 (62%) of whom are not licensed), rather than veterinarians, to perform many of the examinations and treatments. Other possible causes include poor supervision of veterinary staff and the retention of poor-performing veterinary staff.

In addition, regarding the contracted veterinary clinics, CACC's executive director stated that there is no formal process in place to monitor and evaluate their performance.

Since the health and condition of animals influence their potential adoptability, it is important that all incoming animals be evaluated, examined, and treated as soon as possible after intake and receive high quality veterinary care while they remain at CACC. However, this has not been the case for all of the animals in CACC's shelters. As a result, CACC cannot ensure that all animals are treated as humanely as possible while in the shelters, and given the best chance for adoption.

---

<sup>21</sup> We used the employee list for June 2001, rather than the December 4, 2000, staffing status report (which we used to calculate the total number of kennel attendants) because an increase in CACC's contract budget to support the spay/neuter program seems to have allowed CACC to hire additional veterinary staff since December 2000. The figures of six veterinarians and 27.5 veterinary staff members may be an over-estimate—there were four veterinarians, eight veterinary technicians, and two veterinary technician interns who were hired after the issuance of the December 4, 2000, staffing status report, and we could not determine whether they were full-time or part-time employees.

<sup>22</sup> We obtained the numbers of veterinary staff employed by the ASPCA's shelter, B.A.R.C., and Bide-A-Wee's Manhattan shelter through telephone interviews with officials at each of these shelters. For the purpose of these calculations, part-time staff members at all the shelters were counted as .5 staff members.



**Agency Response:** In response to the related findings, DOH stated: “The Department disagrees with the report’s main findings: that animals are not sheltered under humane conditions and often receive poor veterinary care. These findings are contrary to observations by DOH Veterinarians and Sanitarians. DOH has been closely monitoring the operations of CACC, the contractor that provides services to the City under contract, since its inception, January 1, 1995. From that date through April 2002, DOH has closely monitored CACC’s contract performance and conducted over 1,200 inspections of CACC facilities. During these inspections, DOH did not observe evidence of inhumane treatment or substandard veterinary care cited in your audit. Although the audit notes on pages [11] and [12] that differences in review methodologies may have yielded different results, the training and experience of the DOH staff who conducted these inspections provide us with a high degree of assurance that the animals in CACC’s charge are appropriately cared for. While DOH did not see evidence of such deficiencies, the Department is nonetheless concerned by the audit’s findings.”

DOH argued further that:

“During the audit period from January 1, 1999 through June 30, 2001, DOH conducted over 531 inspections of CACC facilities. Copies of these inspection reports were provided to the Comptroller’s Office at the March 4, 2002 meeting. . . . These inspections included frequent unannounced visits that investigated the physical plant, ward conditions, humane treatment, rabies observation of biting animals, compliance with applicable laws and regulations, record keeping and other activities that affect shelter operations. During site visits, DOH Veterinarians inspected all caged animals and reviewed medical records.

“Based on the observations by DOH Veterinarians and Sanitarians during these inspections, we disagree with the findings of poor veterinary care and inhumane treatment reported in the audit. Specifically, DOH did not observe any cases of poor veterinary care, contagious animals being caged in general wards with healthy animals or inhumane treatment during 531 inspections conducted by DOH Veterinarians and other staff during the audit period. The auditors may have drawn other conclusions about the handling of contagious animals based on a misunderstanding of how cage cards are used by CACC. In addition, we also monitor animal bite cases and found no instances where these animals were accidentally euthanized.”

**Auditors’ Comments:** The intent of this audit was to review CACC’s compliance with its contract’s requirements, not DOH’s monitoring of CACC. That is why only a cursory review was made of the 531 inspection reports that DOH provided, and why that review concluded (as stated in the “Notes to Exit Conference” section of this report) that there was no apparent inconsistency between DOH’s inspection results and ours, mostly because of apparent differences in the inspection methodology. However, in its response, DOH uses those reports as the foundation for its disagreement with our findings regarding inhumane conditions, and we therefore conducted a more thorough analysis of those DOH reports in order to evaluate the validity of DOH’s argument. The results of our analysis lead us to conclude that if those inspection reports are truly reflective of

DOH's monitoring of CACC, then DOH's monitoring process has significant weaknesses as discussed further below.

- **No Criteria For Inspection Ratings:** When DOH officials first argued at the audit exit conference that its own inspection reports showed a different picture of shelter conditions than ours, we asked them what criteria their staff use when they conduct inspections and enter "yes" or "no" ratings on the inspection sheets. DOH officials could not provide any specifics on what would lead their staff to answer "yes" or "no" to each of the questions on the inspection reports, and stated that they do not have written criteria or standards for use by the DOH Veterinarians and Sanitarians when they perform such inspections. It is therefore clear that the DOH inspection reports must be subjective in nature and may not be a reliable source to illustrate shelter conditions. (See Appendix III for a sample inspection report.)
- **Inspection Reports Indicate Near Perfect Performance:** Each of the 531 inspection sheets that DOH gave us contains 13 rating categories (e.g., "Floors," "Washrooms," "Wards," and "Infirmary") and those categories include a total of 37 "yes/no" questions (e.g., "Cages washable and clean" in the "Wards" category), for a total of 19,647 questions on the 531 reports. Of those 19,647 total questions, 18,216 had an accompanying "yes/no" entry (some were left blank), and of those 18,216 with an entry, 17,855, i.e., 98 percent, were answered "yes," indicating a near perfect performance.

Of even greater interest were the answers to the seven questions in the "Wards" category and the two questions in the "Operations" category, questions that most are similar to the areas tested by the auditors. These questions included: "Cages not overcrowded"; "Cages washable and clean"; "Cages intact"; "Animals in appropriate cages"; "Clean, appropriately filled cat litter pans provided"; "Temperature appropriate"; "Ventilation adequate"; "Veterinary protocols adhered to"; "Food protocols adhered to." Of the 3,717 questions in the "Wards" category, 3,536 had an accompanying "yes/no" entry, and of those 3,536 with an entry, 3,528, i.e., 99.8 percent, were answered "yes," indicating a close-to-perfect rating. Equally astonishing is that 100 percent of the 907 questions with entries in the "Operations" category were all answered with a "yes", indicating a perfect rating.

What makes such inspection report results even more dubious, however, is the context in which they were derived. On the one hand, the audit determined that CACC's performance was deficient in many areas, and DOH agreed, stating that "DOH monitoring has found deficiencies in CACC's adoption process, customer service, volunteer program and education and outreach efforts." On the other hand, DOH argues that such an organization, that is widely known to be under-funded and under-staffed, that does poorly in terms of recruiting volunteers, that needs to improve customer relations and fund raising, and whose adoption efforts need improvement, otherwise performs perfectly in terms of treating animals humanely and providing appropriate veterinary care. We are not convinced.

- **Other Obvious Flaws in the Inspection Reports:** When reviewing the 531 reports provided by DOH, we noted that 932 of the 19,647 questions were not answered at all and were left blank: specifically, in the “Wards” category, 181 questions were not answered, and in the “Operations” category, 121 questions were not answered. This indicates that these areas were not evaluated during the inspections. In addition, the DOH inspector did not sign 39 of the 531 inspection reports, and the reviewer did not sign 31 of the 531 inspection reports.
- **Likely Advance Announcements of Inspections:** One of the most disturbing outcomes of our review of DOH’s inspection reports, and one that casts even more doubt upon their validity, is the fact that some of the former CACC employees we were able to contact during this review stated that they knew of the DOH inspections ahead of time and took special steps to prepare for them.

We were able to contact four of the former employees we identified through CACC personnel files (these people stopped working for CACC between December 2000 and June 2001) and five of the former employees who either contacted us or whom we contacted as part of the background research for this audit, to ask them whether they knew of inspections in advance. Three of these nine former employees stated that they knew when inspections were soon to occur. One stated: “When we were expecting inspectors, we stepped it up a little—did a little more than normal in terms of cleaning up the kennels, washing down the halls, disinfecting, etc. . . . The manager would make it aware to me that inspectors were coming. I would have to inform all kennel staff, and there were times when I would ask additional staff to stay on or come in.” He went on to state: “There were also surprise inspections, which we were notified about on the morning of. With these we had to run around to do everything, make calls to get additional people in, do everything in a hurry.”

The second person stated that, in addition to the fact that the shelter staff knew of and prepared for inspections ahead of time, once the inspector arrived, “He would go to the manager’s office first for an hour or so, and the foreman would go around to make sure that everything was ready.”

The third person recalled a few inspections that the shelter staff knew about beforehand. She stated that the staff were instructed to “pull it together,” and that on the day of the inspection, management scheduled more people to be at work to take care of the kennel areas.

In summary, we believe that the evidence of animal mistreatment that we found during the course of this audit supports our conclusion that inhumane conditions existed, in circumstances we describe, at CACC’s shelters. We do not believe that the evidence that DOH provided to refute our findings is credible. This audit supports its finding of inhumane treatment on real documents found at CACC itself, and cites instances of inhumane animal treatment, accidental euthanasia and substandard veterinary care based upon CACC’s own documents. We found such documents in the personnel files maintained at CACC’s administrative office and in the disciplinary action notices, notes-to-files, and managers’ logbooks kept at the shelters. As

mentioned in the “Audit Limitations” section of this report, we had only limited access to these documents; therefore, it is very likely that there are more instances that we could not uncover. In its response, DOH stated that it “does not agree with the findings of inhumane treatment and substandard veterinary care,” but never addresses the hard evidence we provide in the audit.

## **Recommendations**

13. While additional funding will most likely be impossible to obtain in the near future, given New York City’s financial situation after the September 11<sup>th</sup> attack on the World Trade Center, we recommend that, if it ever becomes possible, DOH consider amending CACC’s contract to fund the hiring of additional veterinarians and veterinary technicians. (The need to increase kennel staff was addressed in Recommendation 1.) DOH and CACC should consult other shelters and organizations such as the Humane Society of the United States, to determine appropriate veterinary staffing levels at CACC shelters. Required veterinary staffing levels should then be specified in the terms of CACC’s contract and provided for in the contract budget.

**Note:** As discussed later in this report, increasing staff through additional City funding is not the only way CACC can improve its services. For example, CACC should conduct fundraising to raise money to hire additional veterinary staff. This issue is discussed in detail later in the report.

**Agency Response:** “DOH agrees with the recommendations to consider hiring additional kennel attendants and veterinary staff if additional funding becomes available. However, DOH and CACC are focusing on ways to improve services without additional DOH funding, i.e. developing a closer working relationship with the animal care community and developing strategies to better utilize current resources and increase funds raised from private entities. With increased funding from private sources, one of the potential uses will be to hire additional kennel staff for improved animal care services.”

We recommend that CACC:

14. Ensure that staff veterinarians provide adequate supervision of veterinary technicians.
15. Ensure that there is an adequate number of medical staff at all times to address the medical needs of animals.
16. Quickly terminate any veterinary staff members who are found to be unqualified or who consistently provide poor care.
17. Investigate ways to attract more qualified veterinarians and veterinary technicians.

18. Evaluate the performance of all veterinary technicians and determine whether there is an advantage to employing licensed technicians (e.g., to perform more of the necessary medical functions and generally provide better care). If there seems to be an advantage, CACC should consider hiring only licensed veterinary technicians in the future.
19. Implement a process to monitor and evaluate the performance of contracted veterinary clinics.

**Auditors' Comments:** See the report section entitled *Discussion of CACC's Response*, which begins at page 73, and the Addendum for CACC's response to each of this audit's recommendations.

## **CACC Has Not Made Aggressive Efforts to Increase Adoptions**

Less than one quarter of the animals that come into CACC shelters are adopted, and over the last few years, CACC has done little to improve the adoption rate. Some of the reasons for the low percentage of adoptions are: limited public awareness of CACC and its adoption services and the lack of aggressive efforts by CACC to increase public awareness; the inadequate use of off-site adoptions; inadequate efforts to ensure that the adoption process is encouraging to all customers; CACC's discouragement of some of the rescue groups that take animals from its shelters; the apparent inappropriate limitation of the pool of animals available for adoption; and a lack of adoption services at CACC's Queens and Bronx facilities. The following sections describe these findings in greater detail.

### **Recent Adoption Statistics**

According to CACC's Monthly Animal Activity Reports, during calendar year 2000, 14,270 (23.4%) of the 60,877 animals that came into CACC shelters were adopted.<sup>23</sup> Of those 14,270, 5,276 (8.7% of total intake) were adopted directly by customers, and 8,994 (14.8% of total intake) were taken by rescue groups. Of the remaining 46,607, 41,203 (67.7% of total intake) were euthanized, 677 (1.1% of total intake) were owned animals reclaimed by their owners, and 722 (1.2% of total intake) were still in the shelters at the end of the year.<sup>24</sup> (Note: We did not test these numbers as part of this audit.)

A review of recent CACC animal statistics shows that CACC has made no improvement in increasing the number of homeless animals that are adopted. The following two tables compare data from CACC's Monthly Animal Activity Reports: Table I compares data for calendar years 1999 and 2000, and Table II compares data for the first six months of 1999, 2000, and 2001.<sup>25</sup>

---

<sup>23</sup> CACC is required by its contract to submit Monthly Animal Activity Reports to the Department of Health.

<sup>24</sup> The remaining 4,005 animals include categories such as: animals released to freedom (e.g., pigeons) and animals dead-on-arrival.

<sup>25</sup> The earliest year for which we have comparable data is 1999, because CACC modified the format of its Monthly Animal Activity Reports as of January 1999, and data in the Chameleon system dates back only to January 1999. The number of animals adopted and euthanized do not add up to total intake, as there are several other possible outcomes for animals including: returned to owner, released to freedom, and still remaining in shelter at the end of the year.

**TABLE I**  
**CACC Animal Statistics—Calendar Years 1999 and 2000**

	<b>Calendar Year 1999</b>	<b>Calendar Year 2000</b>
<b>Total Intake</b>	61,665	60,877
<b>Direct Adoptions- #</b> (% of total intake)	5,411 (8.8%)	5,276 (8.7%)
<b>Rescue Adoptions- #</b> (% of total intake)	8,643 (14%)	8,994 (14.8%)
<b>Total Adoptions- #</b> (% of total intake)	14,054 (22.8%)	14,270 (23.4%)
<b>Euthanasias- #</b> (% of total intake)	39,810 (64.6%)	41,203 (67.7%)

**TABLE II**  
**CACC Animal Statistics—First Six Months 1999, 2000, and 2001**

	<b>Jan-Jun 1999</b>	<b>Jan-Jun 2000</b>	<b>Jan-Jun 2001</b>
<b>Total Intake</b>	25,079	30,903	28,673
<b>Direct Adoptions- #</b> (% of total intake)	2,630 (10.5%)	2,544 (8.2%)	2,878 (10%)
<b>Rescue Adoptions- #</b> (% of total intake)	3,436 (13.7%)	5,575 (18%)	3,697 (12.9%)
<b>Total Adoptions- #</b> (% of total intake)	6,066 (24.2%)	8,119 (26.3%)	6,575 (22.9%)
<b>Euthanasias- #</b> (% of total intake)	14,693 (58.6%)	19,543 (63.2%)	19,286 (67.3%)

As the tables above show, over the past three years, the number of animals leaving the shelters through adoptions has remained fairly constant, at a level representing approximately one quarter of total intake. Although the number of animals taken out by rescue groups increased during the first six months of 2000, it seems to have dropped back down after that. (Possible reasons for decreased adoptions by rescue groups are discussed in a subsequent section of the report.)

Just as the total adoption numbers have not improved, the number of animals being euthanized has remained relatively constant. Given the low adoption numbers, CACC inevitably has to euthanize many animals simply due to a lack of space. According to CACC's written procedures, each shelter must ensure that, at the beginning of each day, a specific number of cages are empty and available for arriving animals. Apparently these capacity requirements

necessitate the continuous emptying of occupied cages, and lists of animals to be euthanized are prepared once or twice daily.

Obviously, CACC should seek to increase adoptions, both in order to achieve that aspect of its mission, and to reduce the number of animals that are euthanized. Some of the likely reasons for the currently low level of adoptions and the lack of improvement in adoption numbers are discussed below, along with recommendations for increasing adoptions.

**Agency Response:** “The Department generally agrees with the report’s finding that CACC has not been as successful as hoped in the area of increasing adoptions. DOH is working with the CACC to streamline and improve adoption procedures and has begun discussions with the animal care community, of which CACC is a part, to explore potential partnerships that will maximize animal care efforts and reduce demand for animal control services.”

### **Limited Public Awareness of CACC and Inadequate Efforts to Increase Public Awareness**

The public is generally not aware of CACC and what it does. We conducted a telephone survey of 254 randomly selected residents from all five boroughs of New York City, to see how many were aware of CACC’s existence and its services. (See Appendix II for the survey form we used.) We found that few residents were aware of CACC’s existence, and even fewer know it is a place from which to adopt animals.

We asked the 254 residents in our survey whether they had ever heard of the Center for Animal Care and Control. Of the 254 people surveyed, 70 (28%) answered “yes,” and 180 (71%) answered “no”; four people (2%) did not respond to the question. Moreover, of the 70 people who answered that they had heard of CACC, only 15 (6% of the 254 surveyed) were able to identify the location of a CACC shelter.<sup>26</sup> Forty-six were not able to identify a shelter location or gave a non-existent location, and nine did not respond to this question.

The residents we surveyed were also asked to name three places where they could adopt a dog or cat. (They were asked this question before they were asked whether they had heard of the Center for Animal Care and Control.) Of the 254 residents, 142 (56%) were able to name at least one place. The most commonly named places were: the ASPCA, mentioned by 90 (35%) of those surveyed; North Shore Animal League, mentioned by 77 (30%) of those surveyed; and Bide-A-Wee, mentioned by 40 (16%) of the respondents. Only five (2%) of the residents surveyed mentioned CACC. Just two of these five people actually gave the name, “Center for Animal Care and Control”; the other three people were able only to identify CACC as the “shelter on . . .” and named the street where the local CACC facility is located.

---

<sup>26</sup> Of the 15 people who identified the location of a CACC shelter, four correctly named the street the shelter is on, one described the general area, and 10 simply stated that they were aware of a CACC shelter in a particular borough.



Our survey identified 61 potential adopters—people who answered “yes” to the question, “Have you ever considered adopting a/another dog or cat?” When we asked these 61 potential adopters, “Where would you go if you wanted to adopt a/another dog or cat?” not one of them named CACC. Similarly, of the 72 pet owners identified by our survey, only one named CACC in response to this question. (There is some overlap between the populations of pet owners and potential adopters.)

In addition, of the 72 pet owners identified, only three named CACC when asked, “If you lost a dog or cat, where would you go?”

Our survey results indicate that very few New Yorkers are aware of CACC and the services it provides, and even fewer see CACC as a place to go to adopt a pet.

### **Limited Outreach, Marketing, and Public Education**

The public’s limited awareness of CACC is caused at least in part by the fact that CACC does not conduct sufficient outreach, marketing, and public education. This is evident from a review of CACC’s efforts and a comparison to other shelters’ efforts in these areas.

CACC’s contract with DOH states that,

“[CACC] shall promote adoption as a means of placing animals,” and that,

“[CACC] shall conduct education and community outreach concerning animal control and public health issues related thereto.”

Furthermore, the HSUS states in its *Management Information Service Report*, in an article entitled “Local Animal Control Management,” that one of the criteria for operating an effective animal care and control program is having an

“effective public education program . . . . The success of every other aspect of animal control—from licensing to leash laws to sterilization programs—depends on the cooperation of an informed public.”

Obviously, CACC needs public education and outreach programs, both to provide the educational services required by its contract and simultaneously to increase the public’s awareness of its adoption and other services. CACC also should specifically market its adoption services if the organization is to increase adoptions. As is evidenced by the results of our survey, CACC’s public education, outreach, and marketing efforts need improvement, since the organization currently does not do enough to make New Yorkers aware of its services or the fact that CACC is a source of adoptable animals.

The following is a summary of the efforts that CACC does make in the areas of outreach, public education, and marketing for adoptions.

CACC conducts community outreach, public education, and marketing of its adoption services through special events. In 1999, CACC either sponsored or participated in 15 special events, five of which featured adoptions (four were off-site adoption events, and one was an on-site “Adopt-a-Thon”). In 2000, CACC sponsored or participated in a total of 23 special events, four of which featured off-site adoptions. CACC's special events have included: one-day clinics offering free microchipping of New Yorkers’ pets;<sup>27</sup> participation in dog walks (one of which was sponsored by the American Cancer Society); participation in fairs and parades at which CACC has handed out literature; participation in off-site adoption events hosted by other organizations; and CACC off-site adoption events.

CACC advertises its adoption services on WLNY-TV (Channel 55), and on a Staten Island public television station; and, a Staten Island cable television station airs a weekly feature showing adoptable animals at the Staten Island shelter. CACC runs a classified advertisement under “pet adoptions” in *The New York Times*, and its animals are periodically featured on the pet pages of the *Daily News*, *New York Post*, and the *Staten Island Advance*. In addition, CACC ran a slideshow advertisement in six movie theatres during two months of calendar year 2000.

CACC also launched a new website in March 2001 ([www.nycacc.org](http://www.nycacc.org)). This website contains information on CACC’s shelters and services, as well as some educational information—information on New York City’s new Animal Shelters and Sterilization Act (spay/neuter law), microchipping and licensing animals, and safety precautions for pets. CACC’s website contains a link to the website, Petfinder (a nationwide, searchable database of pets), which includes listings of some of CACC’s adoptable animals. This is potentially a very useful tool for both enhancing CACC’s image and encouraging people to come to its shelters to adopt animals. However, as is shown below, CACC is not realizing the opportunities offered by these websites.

We linked to Petfinder (through CACC’s website) on five different days during July and August, 2001, and found that an average of 38 percent of the listings did not include photographs of the animals. The pictures that were shown on Petfinder were of low quality, and it was very difficult see what the animals looked like—in a couple of cases it was impossible even to tell whether the animal pictured was a cat or a dog. The photographs were too dark or blurry, the animals were too far from the lens (appeared very small), the animals were not facing the camera, etc. Many of the photographs of cats were taken of the cats sitting in cages. In addition, the only information included with the listings was: animal type (dog or cat); sex; breed; age (baby or adult); a brief description of the animal’s appearance; and the fact that the animal was up-to-date with its shots.

In contrast, most other New York State shelters with listings on Petfinder included higher quality photographs for virtually all of their animals. The other shelters’ pictures were much clearer, and were mostly close-ups; it was quite easy to tell what the animals looked like. The other shelters’ listings also usually included at least a short description of the animal’s

---

<sup>27</sup> Microchipping involves the injection of a tiny microchip containing an identifying code under an animal’s skin at the scruff of the neck.

temperament or history, or a “statement” from the animal. Some of the listings included a lengthy description of the animal, its history, and the type of adoptive home that would be appropriate.

By not including descriptions and attractive pictures of its animals on Petfinder, CACC is losing out on an opportunity to persuade potential adopters to visit its shelters. In fact, when viewed together with other shelters’ listings, CACC’s listings may produce a negative perception of CACC and its animals and may actually encourage people to go elsewhere to adopt a pet.

A review of the outreach, public education, and marketing efforts made by other shelters across the country also shows that CACC could be more proactive in educating the public, informing the public of its services, and promoting the adoption of animals from its shelters. We conducted a telephone survey of 13 animal shelters throughout the country—eight of which are municipal shelters and five of which operate under city contracts. As part of this survey, we inquired about the shelters’ outreach, public education, and marketing efforts. While a few shelters do not surpass CACC’s efforts, most of the shelters we surveyed are far more active and innovative than CACC and employ methods that CACC should emulate.

Most of the shelters surveyed conduct outreach and public education through presentations at schools, health fairs, nursing homes, camps, public meetings, community groups, or at other venues. For example, BARC, the animal shelter in Houston, Texas, is very involved in community education and has two staff members dedicated to that purpose. BARC gives presentations at schools and health fairs, meets with civic groups, offers education programs for other agencies, and provides training programs for animal control officers. The Michigan Humane Society has a humane educator on staff who visits 450 schools every year to make presentations. In addition, the Michigan Humane Society holds presentations at its shelter for Girl Scouts, and at day care centers, civic organizations, senior centers, and other organized groups. Chicago Animal Care and Control is getting the word out in schools in another way: it recently initiated a letter-writing campaign to art teachers, asking students to draw pictures of dogs and cats to be displayed at its shelter.

Many of the shelters surveyed also advertise their adoption services more aggressively than does CACC. For example, the Michigan Humane Society has developed good working relationships with several Southeast Michigan newspapers, radio stations, and TV stations, and depends greatly upon the free advertising and publicity it receives from them. It also markets itself through press releases, public service announcements, and special events. Furthermore, it receives media attention for its investigations of cruelty to animals and its rescue department, and is often called by the media for information regarding animal news stories. To promote its animals for adoption, the Michigan Humane Society runs photographs and biographies of approximately 15 pets per week in eight area publications. In addition, it holds an annual five-hour telethon.

The Humane Society of Boulder Valley finds that the most effective marketing tool is its website, where it posts pictures of adoptable animals. In addition to the website, the society markets itself and its animals by taking adoptable animals to local businesses in its mobile adoption vehicle five days a week. It participates in an adoption program that features its

animals at a local store, and distributes posters picturing animals up for adoption for display in local stores. It also brings adoptable dogs to local fairs and farmer's markets. When it takes its dogs for day-long hikes through the parks, the dogs wear coats that identify them as available for adoption at the Humane Society of Boulder Valley.

In addition to advertising on the local television station and in the local newspaper, Berkeley Animal Services posts an advertisement as a screen saver in local theatres, and the Los Angeles City Department of Animal Services features its animals on TV shows, including the game show, "The Price Is Right."

While CACC does make some efforts at outreach, public education, and marketing similar to those of the other shelters in our survey, most of the efforts described above represent either additional tools or more aggressive approaches CACC could use to promote adoptions from its shelters. Some of them require additional funding. However some, such as free advertising and publicity from local media outlets, and cooperation with local businesses to promote adoptions, simply require more aggressive efforts on the part of CACC staff and a more open relationship between CACC, the public, and the local media.

The fact that CACC does not conduct adequate public outreach and education, or market its adoption services aggressively, prevents it from achieving one of its major goals, "securing caring homes for animals." If people are unaware of CACC and its services, CACC's adoption rates will never increase, its shelters will continue to be overcrowded, and it will, inevitably, continue to use euthanasia as an animal population control tool.

**Agency Response:** "With the contract period beginning July 1, 2001, DOH expanded its on-site monitoring to include a comprehensive review of all contractual requirements. DOH monitoring has found deficiencies in CACC's adoption process, customer service, volunteer program and education and outreach efforts. . . . DOH has met with CACC to begin implementation of a corrective action plan for the deficiencies found during the site visits . . .

"Effective September 2000, CACC began reporting its public education field staff activities to DOH in a monthly activity report. During the period between September 2000 and June 2001, CACC field services staff conducted 4,624 public education contacts. We are working with CACC to develop partnerships with other city agencies as well as private entities with an interest in animal care issues to increase educational and outreach opportunities."

## **Recommendations**

We recommend that CACC:

20. Ensure that the photographs posted by CACC on Petfinder are clear and attractive.

21. Increase CACC's outreach, public education, and advertising efforts. CACC should speak to other shelters to obtain ideas, and pursue relationships with local media outlets and enter into partnerships with private companies willing to sponsor special events or advertising campaigns.
22. Interact with local animal welfare organizations and enlist their aid in promoting CACC and its adoption services.

**Auditors' Comments:** See the report section entitled *Discussion of CACC's Response*, which begins at page 73, and the Addendum for CACC's response to each of this audit's recommendations.

### **CACC Has Made Inadequate Use of Off-Site Adoptions**

CACC has failed to aggressively promote animal adoptions through adoption events and the use of off-site adoption locations. Since few New Yorkers are aware of CACC, and the shelters are located in areas that do not attract much foot traffic, adoption events and off-site adoption locations should be more effectively used to increase adoptions of the animals in CACC shelters.

CACC's contract with DOH states that CACC:

"shall provide adoption services at the shelters and receiving facilities and shall promote adoption as a means of placing animals . . . [CACC] shall make every reasonable effort to place animals for adoption and shall euthanize animals only when required as a last resort."

However, CACC has participated in only a small number of off-site adoption events. According to CACC officials, the organization participated in four off-site adoption events during each of 1999 and 2000. Events included Adopt-a-Rama (an adoption event held at Madison Square Garden), Cat Show (a two-day event also held at Madison Square Garden), Broadway Barks (a benefit supporting New York shelters), and off-site adoptions at a Manhattan boutique.

So far this year (as of December 2001) CACC has participated in only one off-site adoption event. In addition, although CACC did participate in Broadway Barks again this year, CACC officials stated that they decided not to bring any adoptable animals to the event this year and instead, to promote their website.

CACC also has a very limited off-site adoption program. CACC animals are shown for adoption at only two off-site locations—two veterinary offices. There were a total of 125 animals adopted from these locations between January and June 2001, indicating the potential benefits of expanding the off-site adoptions program.

Some other area animal shelter organizations use off-site adoptions to a much greater extent, demonstrating that it is a viable option for CACC. Currently, North Shore Animal League offers off-site adoptions virtually every day at various locations, including many New York City locations, such as, Petland Discounts, Petsmart and Petco stores throughout the City; the Queens Center Mall; South Street Seaport; and Chelsea Piers. Mighty Mutts, a New York City animal rescue group shows its animals for adoption every weekend in Union Square in Manhattan.

CACC's lack of commitment to capitalizing upon these kinds of opportunities is shown not only by the small number of adoption events and off-site adoption locations, but also by the fact that it does not consistently and accurately track the success of the adoption events in which it does participate.

CACC was unable to provide complete data for its off-site adoption events. It is impossible to produce a report from the Chameleon system that summarizes the results of past adoption events, since animals adopted at off-site events are not specifically designated as such in Chameleon. Even the director of adoptions and volunteer services does not have all of the off-site adoption data. Although she informed us that she prepares memos that include the number of animals adopted at each off-site event, when we met with her, she was unable to produce memos for any of the four off-site adoption events that took place during 1999. In fact, she stated that she would try to obtain the numbers of animals adopted at one of the events from FIDONYC, the non-profit organization that sponsored that event.

In addition, discrepancies in CACC's records call into question the accuracy of the numbers in the memos that were prepared. For two of the four off-site adoption events that took place during 2000, there are discrepancies between the memos and the "Offsite Adoptions Daily Sheets" prepared by the volunteers working at the events. The discrepancies are as follows. According to the memo prepared for an event called Adopt-a-Rama, 14 animals were adopted and 14 animals were rescued at the event; however, according to the Offsite Adoptions Daily Sheet, 14 animals were adopted and four animals were rescued. According to the memo prepared for a two-day cat show, four animals were adopted and four animals were rescued on the second day of the show; however, according to the Offsite Adoptions Daily Sheet for the second day of the event, four animals were adopted and three animals were rescued.

CACC has also failed to consistently and accurately record the number of hours that its volunteers work at adoption events, further hampering its ability to plan future events. Based on year-end memos prepared by the director of adoptions and volunteer services and sent to the CACC controller, there appears to have been a decrease between 1999 and 2000 in the number of hours that volunteers worked at adoption events—from 2,781 to 2,071 hours. However, in a March 12, 2001, memo to the controller regarding volunteer hours for calendar year 2000, the director of adoptions and volunteers stated,

"I don't feel this is a true representation of the volunteer hours since I believe strongly that the volunteer activity picked up at the shelters in 2000 however I believe the record keeping was not as strong." [sic]

CACC management could increase adoptions both by coming up with innovative ideas and by taking full advantage of existing opportunities. As part of an effort to increase adoptions, it should thoroughly oversee its off-site adoption events. This would include keeping track of the number of animals adopted at each off-site event to determine which events are most successful and which should be repeated or expanded. Since even the individual at CACC with primary responsibility for increasing adoptions does not maintain consistent and reliable records of adoption events and the extent to which volunteers contribute to their success, it is clear that CACC is not using this information to plan and take full advantage of off-site adoption events in the future.

CACC should make a stronger commitment to using off-site adoption events and off-site adoption locations. Off-site adoptions can increase adoption rates directly by making animals readily available to the public, and can increase adoptions indirectly by increasing a shelter's exposure and enhancing its image.

## **Recommendations**

We recommend that CACC:

23. Increase participation in adoption events.
24. Expand its off-site adoption program. CACC should consider showing animals for adoption at additional veterinary clinics and in pet supply stores, among other locations. CACC should also consider working with the New York City Department of Parks and Recreation to create pet adoption spaces where CACC animals can be shown at suitable times, such as spring, summer and fall weekends.
25. Improve its controls over record keeping for adoption events to ensure the accurate documentation of the animals adopted at each event and the number of hours that volunteers worked at each event. CACC should use this information in planning future adoption events.
26. Specifically designate those animals adopted at adoption events in the Chameleon system.

**Auditors' Comments:** See the report section entitled *Discussion of CACC's Response*, which begins at page 73, and the Addendum for CACC's response to each of this audit's recommendations.

**Lack of a Formal Customer Service  
Quality Assurance Program May Prevent  
CACC From Ensuring That its Adoption Process  
Is Encouraging to All Customers**

CACC can improve upon its efforts to ensure that its adoption process is encouraging to all potential adopters. This is evidenced by the mixed results from our customer survey, and by the fact that CACC has not developed a customer service quality assurance program, as required by its contract with DOH.

It is important that CACC make the adoption process easy and pleasant in order to ensure that potential adopters who come to the shelters and who meet the minimum criteria to adopt do so, and that these people recommend adopting from CACC to others. However, we found that although 50 percent of the customers who adopted animals from CACC made positive comments about CACC's services, 43 percent of the adopters complained about CACC's services, indicating that CACC has not done enough to ensure that the experience of adopting a pet from CACC is a positive one.<sup>28</sup>

Of the 28 adopters included in our customer survey, 14 (50%) made positive comments about CACC, most of which commended CACC staff for being polite, courteous, pleasant, helpful and professional.<sup>29</sup> Twenty-one (75%) of the 28 adopters stated that if they wanted another pet, they would choose to adopt from CACC, and another two (7%) stated that they would "probably" adopt from CACC. Twenty-seven (96%) of the 28 adopters stated that they would recommend CACC to a friend, with three confirming that they had already done so. The 28 adopters gave CACC an average rating of 8.0 out of 10 for overall service provided. These results point out that a significant number of people have been happy with CACC's adoption services and may help increase awareness of CACC's adoption and other services through word of mouth. However, as the findings below demonstrate, CACC should do more to ensure that all potential adopters have positive experiences.

Of the 28 adopters we interviewed, 12 (43%) had complaints about CACC. Eight (29%) complained about the way in which they were treated by CACC staff; the gist of their complaints was that staff were unpleasant, nasty, unprofessional, or simply unhelpful while the customers were attempting to adopt animals. One person even stated that she had ended up adopting her second dog from a different shelter because CACC staff was so unpleasant to deal with—and that she would recommend that shelter to others. Five (18%) of the adopters complained about animal related services. Specifically, three (11%) criticized the quality of CACC's veterinary care; one complained about the lack of veterinary services at the Brooklyn shelter; and two stated that their dogs had been misevaluated. One person stated that his dog's paperwork indicated that

---

<sup>28</sup> There is some overlap between the group of adopters who made positive comments about CACC and the group who made complaints—8 adopters made only positive comments, six adopters made only complaints, and six made both. (Eight adopters made neither noteworthy positive comments nor complaints.)

<sup>29</sup> As described earlier, we conducted a telephone survey of 33 customers who dealt with CACC between January and March 2001. Of these 33 customers, 28 adopted animals from CACC. The other five reclaimed animals from CACC.



it was a male puppy, but when he got home, he noticed that it was a female. The other person stated that CACC officials told her that her dog was a pitbull, but when her veterinarian examined the dog, she was told that her dog was actually half Labrador and half retriever. In addition, one (4%) of the adopters complained that CACC does not obtain enough background information on the animals.

It is likely that one of the reasons CACC is having difficulty ensuring a consistently high level of customer service is that the organization has not developed a customer service quality assurance program, as required by its contract with DOH, which states,

“[CACC] shall develop, with the approval of [DOH], a customer service quality assurance program which monitors customer satisfaction with services provided by [CACC] and the quality of these services.”

CACC needs to develop such a program in order to identify areas of customer service that need improvement, to ensure that customer service is consistently professional and courteous, and to ensure that the adoption application process does not discourage potential adopters. These are critical first steps in improving CACC’s public image and increasing adoptions.

**Agency Response:** “The Department generally agrees with the report’s finding that CACC has not been as successful as hoped in the area of increasing adoptions. DOH is working with the CACC to streamline and improve adoption procedures and has begun discussions with the animal care community, of which CACC is a part, to explore potential partnerships that will maximize animal care efforts and reduce demand for animal control services.

“With the contract period beginning July 1, 2001, DOH expanded its on-site monitoring to include a comprehensive review of all contractual requirements. DOH monitoring has found deficiencies in CACC’s adoption process, customer service, volunteer program and education and outreach efforts. . . . DOH has met with CACC to begin implementation of a corrective action plan for the deficiencies found during the site visits . . .

“As a result of deficiencies in CACC’s customer service program observed during our contract monitoring process, DOH has worked with the CACC over the past several months to improve its customer service program. CACC currently makes random telephone calls to field and shelter customers to evaluate customer satisfaction. Recently they have developed a post card survey that will be mailed to customers to follow-up on their experiences with CACC services. In addition, CACC is training shelter managers and other staff in improved customer service skills. This training is ongoing and will be part of new CACC staff orientation.”

## **Recommendations**

We recommend that CACC:

27. Develop a formal customer service quality assurance program as required by the contract with DOH.
28. Provide service representatives with additional, and continuous, training in customer service.

**Auditors' Comments:** See the report section entitled *Discussion of CACC's Response*, which begins at page 73, and the Addendum for CACC's response to each of this audit's recommendations.

## **CACC Has Discouraged Some Rescue Groups**

Rescue groups are the lifeline for most of the animals at CACC, as evidenced by the fact that the majority of CACC's animal adoptions are actually transfers to rescue groups. According to CACC reports, in the year 2000, these "Special Adoptions" represented 63 percent (8,994) of CACC's total adoptions. If it were not for the role of these rescue groups, many more animals would be euthanized at CACC. However, our survey of 59 rescuers revealed that many of them have been discouraged by their interactions with CACC, and some even indicated that CACC's actions have limited their ability to take animals out of the shelters. Again, this provides evidence that CACC is not fully utilizing all of the resources available to it to increase adoptions and decrease euthanasia of the animals in its shelters.

Although 20 (34%) of the 59 rescuers surveyed made positive comments regarding CACC, 36 (61%) complained about some aspect of the services provided by CACC. (Nine of the rescuers surveyed made neither noteworthy complaints nor positive comments regarding CACC's services.)<sup>30</sup> The 54 rescuers who rated CACC gave CACC an average rating of 6.8 out of 10 for service provided. The positive comments made by 20 rescuers were mainly centered on the helpfulness, professionalism, or dedication of the staff, or the fact that the animals seemed well cared for. The complaints made by 36 rescuers were centered on such topics as, poor customer service, poor treatment of animals, misevaluation of animals, poor job performance, unqualified staff, and management's lack of commitment to increasing adoptions.

Sixteen (27%) of the rescuers complained about poor customer service. Many of the rescuers cited the long wait for service, either when they are physically at the shelters or when they are telephoning to learn which animals are available for rescue. A common complaint was that CACC's representatives do not return phone calls. Rescuers stated that most of the times they have called they have received CACC's voice mail. Some stated that when they are eventually able to speak with someone, the CACC service representatives are rude, discourteous,

---

<sup>30</sup> The numbers of rescuers who made complaints, positive comments, or neither add up to greater than the total number of rescuers surveyed because there is some overlap between the groups—six of the rescuers who made positive comments about CACC also voiced complaints.

and discourage people from adopting and rescuing animals. One rescuer stated that animals that could have been taken out of the shelters have been left there because of CACC staff's rude and unprofessional behavior.

Fourteen (24%) of the rescuers complained about unqualified staff or staff's poor job performance. Several rescuers complained that staff record inaccurate or incomplete information on the animals. Another common complaint was that CACC's staff are inexperienced or undertrained. One rescuer complained that the staff do not seem to be very knowledgeable about animal health and care, while another rescuer stated that the person who evaluates animals for temperament does not have enough experience.

Seventeen (29%) of the rescuers complained about animal mistreatment in the shelters (these complaints were described in earlier sections of the report), and five (8%) of the rescuers complained that CACC misevaluates animals.

In addition, four rescuers complained about CACC's new Placement Extension Team (PET) program. According to CACC officials, the purpose of the PET program is to ensure that all the rescue groups with which CACC works have the capabilities to properly care for the animals they take from CACC and to place them in good adoptive homes. In addition, through the PET program, CACC will learn enough about the groups and their capabilities to ensure that they are taking out the appropriate types of animals. To gather information about the rescue groups, the PET program requires that each group fill out a 12-page application and submit various documents if they are to continue taking animals from CACC.

The program is being implemented incrementally. In November 2000, CACC officials stated that they were beginning implementation of the program and would be mailing out applications to some of the rescue groups that they had worked with in the past. In July 2001, CACC officials stated that they had so far mailed out 55 applications, in two batches—a first batch of 30 applications, and a second batch of 25.<sup>31</sup> They said that they had completed their review of only three or four applications, as it is a very time intensive process, requiring telephone calls back and forth and repeated follow-up requests for information. CACC officials stated that they had not rejected any rescue groups to date and had not disturbed CACC's relationship with any of the rescue groups that had not yet received applications. They also stated that they plan to eventually send applications to every rescue group they work with.

However, some rescue groups have found the PET program discouraging. Two rescuers indicated that the PET program has made it more difficult for them to rescue animals, and one of these rescuers stated that she was no longer adopting from CACC because of the new program's application process. Two other rescue groups that requested PET applications had not received them yet (one was told that CACC is first sending applications to places that take a large number of animals.) These two rescue groups were apparently not informed of CACC's plans to eventually send applications to all rescue groups that have worked with CACC, and were upset that they might be excluded in the future.

---

<sup>31</sup> According to CACC's documents, the organization worked with 265 rescue groups during calendar year 2000.

As described above, most rescue groups have not yet received the PET application. We do not know how many of the rescue groups in our survey received the application or are even aware of the program. Since we could not identify the population of rescue groups who are aware of the PET program, it was impossible to calculate the percentage of rescuers who have found the program discouraging.

In addition to the rescuers' complaints, it seems clear that the 12-page application and accompanying document request is both onerous and discouraging. As stated above, CACC officials admitted that the program involves a very lengthy application process. It certainly seems possible that, as the PET program is expanded, additional rescuers may raise complaints similar to those above, and may be discouraged from continuing to work with CACC.

Since rescue groups can and do save such a large number of animals, CACC should do everything it can to work cooperatively with these groups. Instead, CACC seems to be discouraging some rescuers through poor treatment and a new, onerous application process. In addition, there are some indications that CACC is not reaching out to some rescue groups as it has in the past. By not taking full advantage of the safety net that rescue groups offer, CACC may be causing some animals that could be placed in homes through rescue groups to be euthanized instead.

**Agency Response:** "The Department generally agrees with the report's finding that CACC has not been as successful as hoped in the area of increasing adoptions. DOH is working with the CACC to streamline and improve adoption procedures and has begun discussions with the animal care community, of which CACC is a part, to explore potential partnerships that will maximize animal care efforts and reduce demand for animal control services."

## **Recommendations**

We recommend that CACC:

29. Work more cooperatively with rescue groups interested in helping CACC place animals. CACC should ensure that all employees understand the importance of maintaining good working relationships with these groups, that they treat rescuers professionally and courteously, and that they return calls from rescuers in a timely fashion.
30. Make the PET application process less cumbersome and less paper intensive.
31. Inform rescue groups by letter that: CACC is implementing the PET program incrementally; it plans to eventually provide PET applications to all rescue groups; and, it will not stop working with those rescue groups that have not yet received PET applications.

**Auditors' Comments:** See the report section entitled *Discussion of CACC's Response*, which begins at page 73, and the Addendum for CACC's response to each of this audit's recommendations.

### **CACC Limits the Pool of Animals Available for Adoption**

In addition to discouraging some rescue groups and members of the public from taking animals out of its shelters, CACC seems to have inappropriately limited the pool of animals that are eligible for adoption, thereby guaranteeing the euthanasia of certain animals with potential for adoption by the general public or rescuers.

CACC employs a status system to designate the potential adoptability of each animal it takes in. According to CACC officials, each animal is evaluated by a veterinarian or veterinary technician as soon as possible after the animal enters a CACC shelter. The veterinarian or veterinary technician assigns the animal a number that reflects the status of the animal's health and potential adoptability. The animals also receive letter designations—"C" if the animal has a contagious medical condition, "NC" if the animal has a non-contagious medical condition, "G" if the animal is pregnant, "T" if the animal has temperament considerations, and "P" if it is a pitbull. The following are the five status levels:

- Status 1—The animal is in good health, has no apparent behavioral problems, and can be adopted.
- Status 2—The animal is almost a Status 1 (i.e., healthy), but has an easily correctable health problem, minor congenital defect, or scar; the animal will also be designated as either "C" or "NC." In addition, the animal does not have any apparent temperament considerations. (According to CACC officials, with the correction of any health problems, the animal can be adopted.)
- Status 3—The animal has a long-term health problem and requires special veterinary care. The animal will also receive either a "C" or "NC" designation. All potentially adoptable Status 3 animals that have temperament considerations will be designated a "T."
- Status 4—The animal has a transitional status due to temperament considerations. At the time of examination, the animal shows temperament problems that appear to make it unadoptable, but there is still a reasonable possibility that after a 24-hour acclimation period and a reevaluation, the animal will be found to be adoptable. According to CACC officials, a Status 4 animal cannot be moved up to an adoptable status without a reevaluation.
- Status 5—The animal is not adoptable because of its temperament or for medical reasons.

Since the status of the animals determines whether they are made available for adoption or euthanized, it is important not only to examine and treat animals as soon as possible after

intake, but also to evaluate and assign their status appropriately. In addition, since many animals may be nervous upon their arrival in a shelter, it is important to reevaluate any animals that have been given an initial Status of 4.

However, CACC's own policies show that CACC does not always reevaluate Status 4 animals. CACC's written status guidelines state that "reevaluation of these animals is limited by staff and space availability and a reevaluation cannot be guaranteed for all such animals." Given the staffing shortages discussed throughout this report, it seems unlikely that most Status 4 animals are reevaluated. In fact, CACC's executive director stated that not all are reevaluated.

By not upgrading animals' status despite improvements in their behavior CACC is depriving these animals of a potential chance of getting a home and may, instead, lead to needless euthanasia.

Several rescuers indicated that CACC may be further limiting the pool of adoptable animals by failing to assign an accurate status to animals. Five of the 59 rescuers surveyed complained about the misevaluation of animals—two of the five specifically stated that CACC's staff had evaluated friendly animals as aggressive in assigning their status.

One rescuer and one former employee indicated that CACC is limiting the pool of adoptable animals by prohibiting the release of older animals. The rescuer stated that CACC operates under the rule that no dogs over eight years of age are allowed to leave the shelters—even if rescue groups want them. According to the former employee, older animals are euthanized instead of being offered for adoption; he stated that he was told by the shelter's assistant manager that they have no place in the shelter for older cats.

Based upon the evidence described above, it seems that CACC's practices may inappropriately make many animals unavailable for adoption, even by rescue groups, many of which are specifically dedicated to helping those animals that need special care or are not considered highly "adoptable."

## **Recommendations**

We recommend that CACC:

32. Ensure that all animals initially given a "4" status are re-evaluated for temperament.
33. Cease the practice of limiting the adoption of older animals. CACC should work cooperatively with customers so they may adopt the animals most suited to their individual situations, and with rescue groups so that they can take as many animals as possible out of the shelters to be placed in adoptive homes.

**Auditors' Comments:** See the report section entitled *Discussion of CACC's Response*, which begins at page 73, and the Addendum for CACC's response to each of this audit's recommendations.

### **CACC Does Not Consistently Use the Bronx and Queens Facilities for Adoptions**

During our visits to the Bronx and Queens receiving centers, we found that CACC does not consistently offer animals for adoption at these facilities. Given the need for CACC to increase adoptions and the low level of public awareness of CACC, it is important that CACC show and offer animals for adoption in as many locations as possible, including all of its own facilities.

According to its contract with DOH, CACC is to "provide adoption services at the shelters and receiving facilities."

However, during our three visits to the Bronx receiving center, and our two visits to the Queens receiving center, we only saw one dog that was offered for adoption. On one visit, a CACC official stated that no animals had been shown for adoption at these centers during the previous month.

According to CACC officials, because of short staffing, there has been a problem with transporting animals from the shelters to be shown for adoption in the receiving centers.

An official stated that the provision of adoption services at the Bronx and Queens facilities is impeded by the shelters' hours of operation. He explained that these receiving centers close at 4:00 p.m. People come to the centers after work, but they find that the office is closed.

Eventually, these problems will be rectified when CACC builds full-service shelters in the Bronx and Queens to comply with the new spay/neuter law. In the meantime, however, the fact that the centers are closed after 4:00 p.m., only offer adoption services from 11:00 a.m. to 3:00 p.m., and do not consistently show animals for adoption, decreases CACC's chances of drawing people in to adopt animals from its shelters.<sup>32</sup>

### **Recommendation**

We recommend that CACC:

34. Use its Bronx and Queens receiving centers to show adoptable animals until the opening of the planned full-service shelters in the Bronx and Queens.

---

<sup>32</sup> As of April 16, 2002, there are no animal adoption services in the Bronx and Queens. The Bronx and Queens facilities were closed from mid-September, 2001 through April 2, 2002. On April 2, 2002, they opened to receive animals only two days a week.

**Auditors' Comments:** See the report section entitled *Discussion of CACC's Response*, which begins at page 73, and the Addendum for CACC's response to each of this audit's recommendations.



## **Possible Causes of CACC's Shortcomings**

As discussed in the “Audit Limitations” section, we were not able to conduct as thorough an audit as we intended and were not able to determine definitively the causes of the various problems cited in this report. However, based upon the information we did gather, we were able to identify several probable sources of CACC’s major problems, as follows. CACC compounds any problems caused by under-funding by failing to aggressively raise funds on its own, and by failing to recruit and use sufficient numbers of volunteers. In addition, CACC’s leadership seems to have interpreted its mission in a fashion that is inconsistent with the organization’s mission statement and its contract with DOH.

### **CACC Does Not Make Sufficient Efforts to Supplement City Funds with Donations**

Because it relies almost entirely on City funding and raises very little money on its own, CACC may not have sufficient funds to obtain the staffing levels and other resources necessary to fully and properly carry out its responsibilities. Nearly the entire CACC budget is supplied by the City. This budget may not provide sufficient funds to operate an effective animal shelter system, but whether it does or not, CACC certainly has not supplemented its contract funds with any significant amounts of money from fundraising.

In 2000, New York City spent approximately \$1 per resident on animal control services.<sup>33</sup> This is an increase over the per capita spending of \$0.66 cited in the 1997 City Council report on CACC’s performance (*Dying for Homes: Animal Care and Control in New York City*), but is still below the recommendation of HSUS, which states that an “effective community animal control program costs at least \$3 per person per year.”

The City did recently provide CACC with additional funding, included as part of the fourth amendment to its contract with CACC. However, that additional money was to enable CACC to comply with the new spay/neuter law that went in effect in November 2000, which required CACC to spay or neuter all animals before releasing them. Thus, the money is to fund additional needed services.

Although CACC has stated that one cause of its problems is that the City does not provide sufficient funding to enable it to properly take care of the numerous animals that it receives daily, CACC has not exercised its own powers to redress underfunding. CACC’s Certificate of Incorporation gives it the power to conduct fundraising by soliciting “grants and contributions from the public or from other sources.” However, despite its need for money to supplement its City contract funds, and despite a specific recommendation from the City Council in its 1997 report that “CACC should design and implement a plan to raise funds from donors interested in improving the welfare of animals,” CACC has still accomplished little in the way of fundraising.

---

<sup>33</sup> This calculation is based on the U.S. Census Bureau’s estimated New York City population (as of April 1, 2000) of 8,008,278 residents, and CACC’s contract budget of \$8,270,973 for January 1 – December 31, 2000.

According to CACC's CPA report, during calendar year 2000, CACC received \$206,117 in donations, the vast majority of which came from donations made by customers at the shelters (e.g., when adopters allow CACC to keep as a donation the \$25 spay/neuter deposit they pay when they adopt an animal too young or sick to be spayed or neutered at that time.) CACC has done very little to bring in additional donations. During our interviews, members of executive management acknowledged that little fundraising is being conducted. In fact, CACC's general counsel/deputy executive director stated that CACC has never held an event exclusively for fundraising and that the most it has done has been to place collection boxes on tables at events. He stated that this has so far brought in less than \$50.

CACC's director of external affairs stated that her primary role at CACC is currently to get private donations through direct mailings and through grant proposals to private companies and corporations. However, as of April of 2001, the director of external affairs stated that she had received no responses from the numerous corporations and companies she contacted. According to CACC's controller, the organization received \$11,065 in direct mail donations during 2000.

In contrast to the \$206,117 CACC raised during 2000, other shelters in the New York City area have raised significantly more. For example, during the same time period, North Shore Animal League received \$25,857,975 in donations, and Bide-A-Wee received \$4,173,749. (The ASPCA can not be directly compared to CACC, since it is a national humane organization with other functions in addition to running its shelter in New York City. However, since it is headquartered in New York City, and operates its only shelter here, it is worth noting that the ASPCA raised \$24,844,032 in donations during 2000.)<sup>34</sup>

Some of the shelters in other major cities across the country also raised significantly more in donations than CACC. For example, during 2000, the Pennsylvania SPCA raised \$2,223,940, the Michigan Humane Society raised \$5,147,052, and the Humane Society of Boulder Valley raised \$2,548,967.<sup>35</sup> (Like CACC, these three shelters operate under contracts with municipalities.)

The low level of private donations is probably due both to a lack of aggressive fundraising efforts on CACC's part and the lack of public awareness of CACC.

---

<sup>34</sup> The amount of money these organizations received in donations was obtained by reviewing their IRS Form 990s for 2000. We were unable to obtain a copy of the Form 990 for the fourth area shelter—B.A.R.C.

<sup>35</sup> Of the 13 shelters we surveyed, eight provided us with any information on their 2000 fundraising. Three of these shelters are mentioned above; of the remaining five, four are municipal shelters, and one is a for-profit organization. According to officials at the three municipal shelters, Chicago Animal Care and Control is prohibited from soliciting donations and any donations received go to the city's Department of Revenue; Denver Municipal Animal Shelter also can not keep donations it receives—the donations go directly into the City's general fund; Berkeley Animal Services did not receive any donations during 2000; and the Los Angeles Department of Animal Services received \$31,824 in donations during 2000. The for-profit shelter, Dewey Animal Care Center, does not rely on donations.

Insufficient funds affect all CACC services. For instance, there are not enough veterinarians to care for the animals properly. There is not enough staff to keep the shelters clean and provide the animals with their basic needs, such as constant access to water and exercise. Employees are forced to work double-shifts when others are absent. The high animal-to-staff ratio, coupled with staff frequently working double-shifts, leads to tired workers, poor performance, and potential danger for workers when they are not alert and for animals that may be subject to worker frustration. In addition, the executive director admitted that CACC's low rate of pay (e.g., kennel staff start at \$8.50 an hour) prevents CACC from attracting the most qualified staff—undoubtedly a major contributor to the inadequate animal care described in this report.

CACC's senior managers have been less than energetic in pursuing new means of raising funding for CACC. Since it is uncertain whether the City will consider providing more funding for animal care and control in the future, CACC has a responsibility and should demonstrate its commitment to providing the best animal care possible by actively raising its own funds.

### **Recommendation**

35. We recommend that CACC plan and implement additional fundraising efforts. CACC should contact other non-profit animal shelters to obtain ideas regarding effective fundraising methods.

**Auditors' Comments:** See the report section entitled *Discussion of CACC's Response*, which begins at page 73, and the Addendum for CACC's response to each of this audit's recommendations.

### **CACC Does Not Sufficiently Rely on Volunteers**

CACC currently has few volunteers and uses very few of the volunteers it does have to supplement its staff in ensuring adequate conditions for the animals in its shelters. Since CACC is understaffed, it needs volunteers to assist the employees in direct animal care activities, such as cleaning cages, walking dogs, and grooming dogs and cats. However, the positions for which volunteers are recruited—photography, data entry, and public outreach—have only an indirect connection to the actual care of the animals. A comparison of CACC to other shelters shows that CACC makes fewer efforts to recruit volunteers, uses significantly fewer volunteers, and places volunteers in fewer types of positions than many other shelters.

CACC's contract with DOH states that "[CACC] shall enlist the aid of volunteers." In addition, CACC's Certificate of Incorporation states that one of its objectives is to "recruit and organize volunteers to assist in the implementation of [CACC's] programs and services."

In March 2001, CACC had 41 active volunteers. Towards the end of our audit, in July 2001, CACC officials told us that they had "doubled" their volunteer ranks and that they now have approximately 65 volunteers. However, when we reviewed CACC's records, we found that

the number of volunteers had actually increased by only 12—to 53. These 53 volunteers are assigned as follows: 23 to photograph animals to be shown on Petfinder; 15 to help out at special events; three to participate in the Cage Comforter program (they work from home making comforters for cat cages and small dog cages); three to perform administrative duties; five to help out with animal adoptions; and four to perform “kennel” duties, including, grooming animals, and handling and socializing kittens.

We concluded that CACC could easily increase its volunteer ranks by making more aggressive efforts to recruit volunteers and by using more of the people who express an interest in volunteering. In response to our questions, CACC officials could not provide any evidence of recruitment efforts, stating simply that when people approach CACC to volunteer, CACC asks them to come in and fill out an application at CACC’s administrative office. CACC officials also said they place only approximately one third of the people who apply to volunteer.

Moreover, the types of assignment offered to volunteers may discourage potential volunteers. According to CACC officials and the cover letter for CACC’s volunteer application, the only positions currently available to volunteers are: photography (for Petfinder), data entry, public outreach, and the Cage Comforter program. The lack of assignments involving animals very likely discourages many of the people who inquire about volunteering at CACC, as most are probably interested in direct animal care. In fact, according to its director of adoptions and volunteers, CACC receives approximately ten telephone inquiries a week from people interested in volunteering, most of them interested in walking dogs. CACC does not maintain records adequate for us to determine what percentage of the people who make these inquiries end up volunteering at the shelters performing other than dog-walking duties. However, we do know that only 12 new volunteers began working for CACC over the four months from March to July 2001. Assuming that there are approximately ten inquiries a week, it seems obvious that most of the people who telephone to inquire about becoming volunteers at CACC never end up as such.

A comparison to other shelter organizations points out what CACC could be doing differently, as some other shelters in the New York City area and across the country have made greater efforts to recruit volunteers, use significantly greater numbers of volunteers, and use volunteers more directly to improve the conditions for animals in their shelters.

To determine how CACC’s operations and efforts compare to other animal shelters, we conducted a telephone survey of 13 animal shelters in other major cities across the country (previously discussed). Ten of the surveyed shelters have volunteer programs in place, and one shelter is just starting a volunteer program. Only two shelters—Las Vegas’s Dewey Animal Care Center and Houston’s Bureau of Animal Regulation and Care—do not have volunteer programs. The number of volunteers used by each of the shelters with volunteer programs ranges from 15 to more than 1000.

Some of the shelters that we surveyed use large numbers of volunteers. For example, the Michigan Humane Society, which takes in approximately 50,000 animals per year, has 1,085 volunteers; the LA City Department of Animal Services, which took in approximately 73,000 animals during Fiscal Year 2000, has more than 500 volunteers; and the Humane Society of

Boulder Valley, which took in 6,384 animals during Fiscal Year 2000, has 500 volunteers.<sup>36</sup> These shelters rely heavily on volunteers to carry out day-to-day operations and to assist with getting as many animals adopted as possible. According to the Humane Society of Boulder Valley, volunteers have enabled it to achieve a 100 percent placement for all adoptable animals in the past five years. The LA City Department of Animal Services is working on becoming a low-kill shelter and depends on volunteers to help it get as many animals placed as possible. The Michigan Humane Society stated that, without volunteers, it would be unable to effectively manage its day to day operations, programs, and events.

While the other surveyed shelters do not use as many volunteers, several stated that the extra help provided by the volunteers is very useful. For example, Maricopa County Animal Care and Control Services, which took in 61,025 animals during calendar year 2000 and uses more than 100 volunteers, stated that it does not have enough staff to provide additional comfort measures beyond basic cleaning, feeding, and watering, so it depends on volunteers to provide the extra care. San Francisco Animal Care and Control, which took in 13,712 animals during Fiscal Year 2000, also uses over 100 volunteers, and stated that volunteers are a very important part of operations; among other functions, they conduct outreach to the community, show animals, exercise or walk animals, groom animals, feed animals, assist with the running of special events, work on publications, and help maintain the organization's website.

Most of the surveyed shelters used volunteers in more functions than CACC does, including the direct care of animals. In fact, 10 of the 13 surveyed shelters reported that volunteers assist with the direct care of animals—socializing, feeding, dog walking, grooming, fostering, etc. Seven of the 13 shelters reported that volunteers help clean the kennels and cages.

Nine of the 13 surveyed shelters stated that volunteers help out with adoptions by providing adoption counseling, transporting animals to and from special events, helping people interact with animals, helping with off-site or mobile adoptions, and making follow-up adoption calls. The LA City Department of Animal Services stated that its mobile pet adoption unit is completely volunteer-driven. Chicago Animal Care and Control and DC Animal Control reported that their adoption rates have increased with the help of volunteers. In addition, some of the surveyed shelters would like to involve volunteers in even more areas. For example, Chicago Animal Care and Control plans to add adoption screening to the list of activities in which volunteers can assist.

Some of the surveyed shelters also make much more aggressive efforts to recruit volunteers than CACC does. For example, the Pennsylvania Society for the Prevention of Cruelty to Animals advertises for volunteers in a newsletter 11 times a year, while the Humane Society of Boulder Valley holds an information session every six weeks. At the San Francisco Animal Care and Control shelter, the head of its outreach unit visits and posts ads at local colleges, high schools, and libraries to recruit volunteers. Other surveyed shelters, like Michigan Humane Society, DC Animal Control and Maricopa County Animal Care and Control Services, reported recruiting volunteers through their websites, advertisements in local papers, public service announcements on television, at off-site events, at mobile adoption sites, during humane

---

<sup>36</sup> Intake and volunteer statistics are based upon documentation provided by shelter officials or statements made by shelter officials during our telephone interviews.

education presentations, or through word-of-mouth. The LA City Department of Animal Services does less recruitment since it does not have the budget for it, but tries to promote itself and its volunteer opportunities in publications that offer it free ad space.

Shelters in the New York City area also recruit and use volunteers to provide more direct care for their animals than CACC does. Bide-A-Wee uses approximately 30 volunteers in its Manhattan shelter, and 25 volunteers in its two Long Island shelters, to provide direct animal care such as, walking and bathing dogs, and helping with basic cat care. North Shore Animal League in Long Island, uses volunteers to walk dogs and perform other direct animal services, such as bottle-feeding motherless puppies and kittens. The ASPCA currently uses more than 240 volunteers in its shelter, performing such tasks as: socializing animals (thereby preparing them for adoption); walking dogs; interviewing potential adopters and helping them pick animals; and conducting outreach and humane education. B.A.R.C., has two full-time volunteers who work in the kennels and 20 volunteers who walk dogs on Saturdays and Sundays.<sup>37</sup> Additional volunteers are occasionally sent to B.A.R.C. by organizations such as NY Cares, Goldman Sachs, Liz Claiborne, GAP, Old Navy, Merrill Lynch, JP Morgan, Bushwick High School, and Americorps.

Because CACC does not aggressively recruit volunteers or allow volunteers to engage in many activities involving the direct care of animals, CACC currently uses relatively few volunteers. If CACC were to aggressively recruit and use volunteers fully, it would be able to supplement its funded staff by having significant numbers of volunteers assist the kennel staff and thereby improve the conditions for the animals in the shelters.

**Agency Response:** “DOH agrees with the Comptroller’s findings of inadequate use of volunteer staff and has been working with the CACC to increase the number and utilization of volunteers. Currently, CACC uses interns who are enrolled in the Veterinary Technician Program at LaGuardia College. DOH is working with CACC to identify other areas that can increase the number and improve overall utilization of volunteer services.

“With the contract period beginning July 1, 2001, DOH expanded its on-site monitoring to include a comprehensive review of all contractual requirements. DOH monitoring has found deficiencies in CACC’s adoption process, customer service, volunteer program and education and outreach efforts. . . . DOH has met with CACC to begin implementation of a corrective action plan for the deficiencies found during the site visits.”

---

<sup>37</sup> Information on these shelters’ volunteer programs was obtained primarily from their websites. The numbers of volunteers working at Bide-A-Wee and B.A.R.C. were obtained through telephone interviews.

## **Recommendations**

We recommend that CACC:

36. Aggressively increase its number of volunteers through a stronger recruitment effort aimed at individuals interested in the care of animals. CACC should consider enlisting the aid of rescue groups and other area animal welfare organizations in recruiting volunteers.
37. Expand duties available to volunteers to include more direct animal care, such as dog walking, cage cleaning, and cat grooming.

**Auditors' Comments:** See the report section entitled *Discussion of CACC's Response*, which begins at page 73, and the Addendum for CACC's response to each of this audit's recommendations.

## **CACC's Management and Operations Are Not Focused on Achieving All Aspects of its Contract and Mission**

Based on our audit findings, we have concluded that there is a discrepancy between CACC's contract and mission, and its actual operations. As shown earlier in the report, some of the ways in which CACC has violated the requirements of its contract with DOH and/or its own mission are that it:

- did not provide humane care to all of the animals in its shelters;
- did not aggressively promote the adoption of the animals in its shelters through public awareness campaigns, off-site adoptions, and the use of all of its own facilities for adoptions;
- discouraged some of the rescue groups that take animals from CACC shelters to be placed in adoptive homes;
- limited the pool of animals available for adoption;
- did not make sufficient efforts to supplement its city contract through fund raising; and
- did not sufficiently rely on volunteers to improve the care of animals in its shelters.

All of this points to an organization which seems to focus on meeting only certain requirements of its contract and seems to view its mission much more narrowly than it was originally conceptualized. In essence, CACC seems to focus its efforts on "pushing animals through the system," i.e., taking them in and euthanizing them when they exceed capacity, without aggressively pursuing many of the other requirements of its contract and the other goals outlined in the mission statement, such as "providing humane care for all New York City animals in need" and "reduc[ing] the number of homeless animals through increased adoption."

As CACC has focused primarily on one function, it seems to have adopted an overly defensive organizational mentality, which was illustrated to us in several different ways during the course of the audit.

One piece of evidence demonstrating a troublesome aspect of CACC's organizational culture is an intra-office e-mail photocopied from the Brooklyn shelter manager's logbook. The e-mail, which is apparently an excerpt from a summary of a meeting on the Chameleon database system, states,

"ANIMAL STATUS - We will never change the status even if the status changes because our euth[anasia] reports will look better."

Although we do not know for certain whether this statement reflects an organization-wide policy, it certainly raises a number of concerns regarding CACC's management and its disclosure philosophy. Obviously, it points out the possibility that CACC is manipulating its data to make its reports on the number of animals euthanized "look better." We therefore question the accuracy of their reports on animal intake, numbers of animals adopted, and numbers of animal euthanized. (Note: We did not test these numbers as part of this audit.) The statement also raises concerns regarding the outcomes for many animals. It is not clear from the e-mail whether the policy is never to change the status of animals in actuality, or simply never to adjust the status of animals in a field within the database. If CACC actually never changes the status of animal, potentially adoptable animals will not be given a chance of finding homes and will be automatically designated for euthanasia based upon their initial evaluation (which CACC acknowledges may not always be accurate). Regardless of its true meaning, the statement raises obvious concerns.

Another set of events which demonstrated CACC's defensive attitude was how CACC management reacted to this audit. The obstructive tactics employed in response to this audit, most notably management's refusal to allow employees to speak to us without a supervisor present, were our first indications of management's philosophy of non-disclosure. We explained to CACC's executive management on numerous occasions that speaking openly and honestly with staff at all levels within the organization was the best way for us to obtain an accurate picture of CACC's operations, to understand the reasons for any shortcomings, and to devise constructive recommendations for improvement. However, CACC's executive management refused to change its mind on this issue, acknowledging that it would rather see a section in our audit report describing these audit limitations than allow us to speak to staff members without a supervisor present.

Another illustration of the above is the fact that CACC has limited its exposure to "outsiders," such as volunteers, who have the potential to help improve services and animal care in the shelters. For example, CACC uses few volunteers and gives most volunteers responsibilities that are away from the animals and the shelters.

Yet another illustration was the behavior of the board of directors. As described earlier in the report, board members were not cooperative with our attempts to interview them. In addition, we found that during board of directors meetings, which are open to the public, board members often deliberately spoke at such a low volume as to prevent all other attendees from hearing their discussions. (This issue is discussed further in a later section of this report.)



CACC's focus on only a narrow part of its contract and mission and its defensive attitude were also the focus of statements made to us by rescue groups and former employees. Specifically, 14 of the 59 rescuers and five of the eight former employees complained about various aspects of CACC's management. Complaints about executive management revolved around several areas: lack of concern for the animals, overemphasis on protecting CACC's image, discouragement of employees who try to help animals, and lack of advertising, education, and outreach.

For example, one rescuer specifically stated that CACC is mainly concerned about its liability and about protecting itself from criticism. Three other rescuers complained that CACC's efforts to work with them in getting animals out of the shelters have decreased recently. Their reports of decreased CACC efforts all related directly to the departure of CACC staff members. One rescuer stated that CACC had not called the rescue group since the adoption coordinator for the Manhattan shelter left. Another reported the same lack of contact dating to the departure of the Brooklyn adoption coordinator. The third rescuer similarly stated that the group had not received as many calls to rescue animals since both the adoption coordinator and the rescue coordinator at the Brooklyn shelter had left.

Two former employees complained that management discourages staff members who show a real desire to help the animals. According to the former employees, such people are quickly labeled trouble-makers (sometimes because they ask too many questions about management's decisions) and are often either fired or leave on their own after becoming frustrated in their attempts to improve things.

As discussed earlier in the report, one former employee and one rescuer complained about management's prohibition against permitting adoptions of older animals. This also evidences that CACC is not aggressively working toward one of its stated goals—finding homes for as many animals as possible. Prohibiting the release of older animals does not necessarily mean that more young animals will be adopted, as some individuals specifically wish to adopt older animals, and some rescue groups specialize in caring for and placing sick, old and less “highly adoptable” animals.

During our conversations with former employees and rescuers, comments were repeatedly made that CACC's management is secretive, defensive, and vindictive. In fact, many of the rescuers who participated in our survey were initially reluctant to speak to us, expressing their fear that if CACC management were to realize that they had been critical of the organization, management would retaliate by preventing them from taking animals from CACC in the future. In addition, one rescuer refused to participate in the survey after making some negative comments regarding CACC, indicating that she feared being cut off by CACC; and another rescuer who did participate, though critical of CACC, stated that she would not say all that she wanted to because she wanted to continue rescuing animals.

None of the types of evidence discussed above (CACC's e-mail, its behavior towards us, its behavior toward “outsiders,” the board members' behavior, or the comments made by a customer, rescuers and former employees) taken on its own would have led us to the conclusion that CACC is operating under a defensive mentality that results from its primary focus on only a

narrow aspect of its contract and its mission. However, taken together, these types of evidence form a compelling image of an organization that knows that its activities are not synchronous with its contract and its mission, and therefore can only conduct its activities in a defensive mode. This inevitably leads to missed opportunities for improvement, as opportunities to collaborate with rescue groups, volunteers and other “outsiders” are squandered, and prevents CACC from fulfilling all of the requirements of its contract and achieving its full mission.

## **Conclusion**

This last issue, regarding the discrepancy between CACC’s contract and mission and its operations is a key finding of this audit, because, unless it is addressed adequately, none of the preceding recommendations made in the report can or will be effectively implemented. Therefore, we recommend that:

38. CACC’s board of directors and executive management convene to discuss the organization’s mission, to determine whether the current mission statement accurately reflects CACC’s purposes, and to reconcile its organizational and management philosophy with its contract and stated mission. If the board and executive management determine that the current mission statement is accurate, then they must develop a plan for the organization to change direction and bring its operations in line with the pursuit of all of the goals in its mission statement. If the board and management decide that they are not interested in pursuing all of the goals in CACC’s mission statement, they should change the mission statement accordingly, and negotiate any necessary amendments to CACC’s contract with DOH.

**Auditors’ Comments:** See the report section entitled *Discussion of CACC’s Response*, which begins at page 73, and the Addendum for CACC’s response to each of this audit’s recommendations.

## **Other Issues:**

### **CACC's Board Violated its Bylaws**

During one of the three board of directors meetings we attended, the board violated its bylaws by meeting and voting on certain items without the required quorum being present.

According to CACC's bylaws, § 3.5, entitled "Quorum,"

"At all meetings of the Board of Directors, except where otherwise provided by law or these By-laws, a quorum shall be required for the transaction of business and shall consist of a majority of the entire Board of Directors, provided that at least a majority of the Ex Officio Directors are present."

In addition, according to CACC's bylaws, § 3.6, entitled "Vote Required,"

"All questions, except those for which the manner of deciding is specifically prescribed by law or these By-laws, shall be determined by vote of a majority of the Directors or Committee members or their respective Alternates present at any meeting at which a quorum is present, provided that such majority vote includes the vote of all three Ex Officio Directors for any of the following actions:

- (i) appointing or removing Officers of the Corporation, and fixing such Officers' compensation;
- (ii) appointing additional Directors to the Executive Committee; and
- (iii) adding to, amending, altering or repealing these By-laws or the Certificate of Incorporation."

It appears that the June 11, 2001, board meeting should not have taken present since there was no quorum. Only one of the three ex-officio directors was present. To constitute a quorum there should have been at least two ex-officio directors present at the meeting.

Moreover, during the June 11, 2001, board meeting, the board did not have the authority to vote on revising the bylaws (it voted to change the fiscal year ending date to June 30 from December 31), since this type of action requires the vote of all three ex-officio directors, and only one ex-officio director was present at the meeting.

### **Recommendation**

39. We recommend that CACC's board of directors ensure that there is a quorum present when it holds meetings and votes on items.

**Auditors' Comments:** See the report section entitled *Discussion of CACC's Response*, which begins at page 73, and the Addendum for CACC's response to each of this audit's recommendations.

## **CACC's Board Appears To Be in Violation of the Letter and Spirit of the Open Meetings Law**

During two of the three board of directors meetings that we attended, CACC board members and officers appear to have violated the letter and spirit of the Open Meetings Law by speaking at almost a whisper, thereby preventing attendees from hearing their discussions.

The New York State Open Meetings Law in its legislative declaration, requires that,

“public business be performed in an open and public manner and that the citizens of this state be fully aware of and able to observe the performance of public officials and attend and listen to the deliberations and decisions.”

CACC has stated that it complies with the Open Meetings Law. However, because the directors and officers of the board spoke so quietly throughout two of the meetings we attended, we, as well as other attendees, were unable to hear much of what went on during those meetings. It is important to note here that this conduct continued despite repeated requests from other attendees that board members speak up.

Conduct similar to that of the CACC Board has been held to be in violation of the Open Meetings Law. In Goetschius v. Board of Education of the Greenburgh Eleven Union Free School District, 721 N.Y.S.2d 386, 387 (2d Dep't 2001), the Appellate Division upheld a lower court decision that determined that the Board of Education “engaged in a persistent pattern of deliberate violation of the letter and spirit of the Open Meetings law, by, *inter alia*, improperly convening executive sessions and conducting business in a manner inaudible to the public audience.” The Appellate Division also upheld the lower court’s decision to annul certain determinations the Board of Education made when it violated the Open Meetings Law. *Id.* at 388. Similarly, it was reported to the Executive Director of the State Committee on Open Government that a Morristown School Board held several meetings in which board members spoke so softly that audience members were unable to hear their deliberations, despite repeated requests by the audience to the board members to “speak up.” In an advisory opinion, the Executive Director of the State Committee on Open Government stated that the Board “must conduct its meetings in a manner in which those in attendance can observe and hear the proceedings.” Otherwise, the conduct is “unreasonable and fail[s] to comply with a basic requirement of the Open Meetings Law.” (See Committee on Open Government Advisory Opinion, July 7, 1993.)

## **Recommendation**

40. We recommend that CACC’s board of directors comply with the Open Meetings Law and ensure that all board members, officers, and invited speakers speak audibly so that members of the public who attend the board meetings may hear what is said.

**Auditors’ Comments:** See the report section entitled *Discussion of CACC’s Response*, which begins at page 73, and the Addendum for CACC’s response to each of this audit’s recommendations.

## **Inadequacies of CACC's Contract with DOH**

CACC's contract with DOH does not include specific and measurable performance requirements or standards. This prevents DOH from holding the organization accountable for providing specified acceptable levels of service.

This audit was conducted in order to determine whether CACC is operating in accordance with two major aspects of its mission—"providing humane care for all New York City animals in need" and "[reducing] the number of homeless animals." In order to assess the level and success of CACC's efforts in these areas, we often had to search for standards against which to measure the organization. For example, in some areas, we compared CACC's efforts to those of other municipal shelters throughout the country and other shelters in the New York City area, and we compared conditions in the shelters to the standards of HSUS in addition to the requirements in CACC's contract and its procedures manual. We were unable to rely solely upon the standards to which DOH holds CACC, because DOH does not hold CACC to specific, measurable standards.

In its contract with CACC, DOH outlines various categories of services that CACC must provide. The contract, however, does not include any specific and measurable performance requirements or standards for animal care. For example, although the contract requires that CACC "operate animal shelter facilities in the boroughs of Manhattan, Brooklyn, and Staten Island," and states that "animals within the possession of [CACC] shall be cared for in a humane manner in accordance with applicable law," it does not specify any standards for humane care, such as the frequency with which dogs should be exercised, the minimum amount of space each animal should be allotted, or how often and in what manner animal cages should be cleaned. The contract also requires that CACC "provide adoption services at the shelters and receiving facilities and . . . promote adoption as a means of placing animals," but does not include any requirements, targets, or goals regarding the number or percent of animals that should be placed through adoption each year or any requirements regarding the types or level of efforts CACC should make to promote adoptions. The contract requires that CACC "enlist the aid of volunteers," but does not specify how many volunteers should be recruited or how the volunteers should be used to improve services. The contract does not require that CACC conduct fundraising to supplement its contract funds, nor does it define any fundraising target.

By failing to include measurable performance requirements and standards related to many of CACC's services in the contract, DOH has failed to give CACC a clear definition of its expectations regarding the organization's performance and operations. DOH also does not have any clear criteria against which to evaluate CACC's performance. Moreover, without clearly identified minimum performance requirements, it is difficult for DOH and CACC to evaluate CACC's budgetary needs. Without knowing what the acceptable levels of service are, DOH and CACC can not determine CACC's staffing and funding requirements for achieving acceptable levels of service.

## **Recommendation**

41. We recommend that DOH amend CACC's contract to include specific and measurable performance requirements and/or standards for all appropriate service-related areas. The table below lists some examples of performance requirements and standards that could be incorporated in the contract.

<b>Service Area</b>	<b>Examples of Performance Requirements or Standards</b>
Humane Care of Animals in the Shelters	The amount of space each animal should be allotted, the frequency with which dogs should be walked, and the frequency with which animal cages should be cleaned.
Animal Adoptions	The number/percent of homeless animals that should be placed through adoption each year, the number/percent of animals placed through adoption that should be placed through "direct" adoptions versus those placed through rescue groups, the minimum number of off-site adoption events that CACC should hold each year, the number of animals that CACC should show for adoption at the Bronx and Queens facility each day/week/year.
Animal Seizure in Response to Complaints	The time period within which complaints must be responded to.
Use of Volunteers	The number of volunteers that should be recruited each year, and the number of volunteers that should be working for CACC in each specified service area at any given time.
Fundraising	The amount of money CACC should raise in donations each year.
Public Education Regarding Animal Control and Related Issues	The number of public education events that should be held each year, the total number of people that should be addressed at these events each year, and the topics that should be covered at these events.
Formal Customer Service Quality Assurance Program	A description of how such a program would work, and evidence of its implementation.

***Agency Response:*** "Although the City's current contract between DOH and CACC does not include specific performance indicators, DOH does use specific guidelines to measure performance as part of our inspection process and CACC's overall compliance with the regulations and standards appropriate to its operations. The Department is currently renegotiating its contract with CACC to begin July 2002 and will include specific

performance measures within the contract to enable DOH to better monitor contract compliance. These measures will be based on industry standards and guidelines and nationwide ‘best practices’ for animal shelter operations.”

## **Discussion of CACC's Response**

DOH chose to append a written response from CACC to its own response to the draft audit report, in which CACC disagreed with virtually every aspect of the audit's methodology and findings and alleged that the audit was not conducted in an objective fashion. As was stated earlier, during the fieldwork phase of this audit, CACC's executive management misrepresented many facts regarding the organization's operations. CACC's response to this audit is a continuation of this behavior. To present and discuss CACC's position on this audit, we now address CACC's main arguments below. (For the full text of CACC's response, see the Addendum of this report.)

## **Overview**

In an apparent effort to obscure the facts and to discredit the audit's findings, CACC chose to include in its response several misrepresentations, distortions, and personal attacks on the professionalism of the audit staff. For example, CACC attempts to dismiss the audit's findings by contesting the auditors' expertise, objectivity, and independence. CACC goes as far as accusing the auditors of not visiting the wards that were being cleaned because "[the auditors'] concern about getting wet prevented them from commenting on the cleaning procedures." (In fact, the auditors did not visit those wards as a courtesy to the CACC staff and in order to not disrupt or interfere with their cleaning of those wards. However, this is a minor point considering the magnitude of CACC's other distortions).

Based on CACC's response and its inhibiting and uncooperative actions throughout the audit, it is clear that CACC management does not understand what a performance audit is. From the outset of this audit, CACC management continually obstructed the normal audit process. Its actions included limiting and denying access to CACC documents and not allowing the auditors to interview CACC employees without management present (discussed in detail in the "Audit Limitations" section of this report). Perhaps CACC believed we would simply interview management and accept its descriptions about how CACC operates without doing any test work to determine the actual practices in the shelters.

The New York City Comptroller's Audit Bureaus have conducted thousands of audits that review a wide variety of public life, ranging from medical research conducted in City hospitals, to management of farm practices in the New York City watershed, to transitional housing for homeless people with AIDS, to mention but a few. In each and every one of these endeavors, the auditors are required to interview, observe, test, conduct themselves with due diligence, and derive an objective conclusion regarding the operations of the audited organization. Our audits have produced thousands of recommendations that have enhanced City life and City service. In at least the past eight years, we can not recall a single audit where the audited organization makes the types of accusations contained in CACC's response. We believe that our reputation and past accomplishments speak for themselves.



## **Alleged Political Influence and Bias in the Audit Process**

CACC states that this audit was “clearly motivated by the political interests of [the present Comptroller’s] predecessor.” It also states that in 1998, the Comptroller’s Office indicated to CACC that the “animal activist community in NYC was not satisfied with the results of [a] financial audit . . . and that they were pushing for a performance audit.” It further states that CACC was not contacted by the Comptroller’s Office until late 2000, when “the Comptroller’s Office indicated that the audit was, in part, the result of renewed calls from the activist community.” CACC alleges that “the areas selected for audit mirror the criticisms of [a] small, but vocal, group [of members of animal advocacy groups]” and that the audit was not objective.

The only part of all of the above that is true is that animal advocacy groups did request that an operational audit be conducted; but this was not unusual. Audits are generated based on different factors, including allegations received by the Comptroller’s Office from the public, a City Charter mandate that requires that every City agency be audited at least once every four years, and internal assessments of economic and performance “risks” at public agencies. Regardless of the source of an audit, the audit itself must be performed in an objective and independent manner. The audit process must be independent of any political influences, and must adhere to strict guidelines regarding independence and objectivity, as set forth in the second general standard for governmental auditing (GAGAS 3.11), which states:

“In all matters relating to the audit work, the audit organization and the individual auditors, whether government or public, should be free from personal and external impairments to independence, should be organizationally independent, and should maintain an independent attitude and appearance.”

Auditor independence is also a requirement of the Institute of Internal Auditors (Standard 100), as well as of the American Institute of Certified Public Accountants (Second General Standard - SAS No. 1, § 220).

Auditors are required to gather relevant information and to interview management and personnel who actually perform the functions being audited. They also collect information from various other sources, such as groups that may be critical of the audited organization, related newspaper articles, and private institutions. Throughout the audit process, auditors must employ objective testing methodologies to determine whether what they are told about the organization’s operations and its official policies is reflected in the actual day-to-day operations. Comprehensively gathered information and thorough testing enable the auditors to develop a full set of constructive recommendations that should help the audited organization improve its operations. This audit, like all other audits issued by this office, was conducted objectively and was independent of all outside influences.

## **Alleged Limited Audit Scope**

CACC states that “in conducting a performance audit of CACC, the Comptroller’s Office ignored CACC’s contractual obligations that protect the well being of New Yorkers, and instead, focused on those aspects of the contract that provide for the well being of the animals. In doing so, the Comptroller fails to portray the full importance of CACC.” CACC goes on to say: “the Comptroller failed to audit the success of CACC’s efforts to pick up animals . . .; its programs for accepting . . . animals at the shelters . . .; the improvement in returning lost animals . . .; the implementation of [a] progressive mandatory spay/neuter law . . .; and, finally, the level of compassion and expertise employed when providing a humane and painless death to unwanted and unadoptable animals.”

CACC either misunderstands or purposely distorts the purpose of this audit. As was clearly stated at the beginning of this report, the objective of this audit was to evaluate the conditions under which animals are sheltered in CACC’s facilities, and the level and success of CACC’s efforts to promote the adoption of animals from its shelters. The auditors also noted the many different services provided by CACC that were not covered by the objective of this audit. Though CACC provides numerous services, they do not negate CACC’s responsibilities to provide humane care and promote adoptions of animals. This report has demonstrated CACC’s shortcomings in these areas.

## **Animal Care Issues**

CACC states that it has “an aggressive and proactive approach to dealing with mistreatment of animals in our shelters. . . . CACC takes its responsibilities seriously and disciplines all such infractions up to and including termination. The evidence of animal mistreatment discovered by the audit team was found in the personnel records of CACC employees indicating that CACC not only uncovers, but also disciplines, any acts of mistreatment.”

Furthermore, CACC states that “the accountants never requested reports generated by the CACC human resources management system, ABBRA, which provide a complete accounting of all employee infractions resulting in discipline, including those that involved direct care of animals.”

Although CACC may discipline employees who commit acts of animal mistreatment, the fact is that such instances of animal mistreatment by CACC employees do occur, and that is what the audit reported. When the auditors reviewed the personnel records, CACC officials did not suggest that they should also review records maintained in ABBRA. After the exit conference, when CACC provided the auditors with individual employee print-outs from ABBRA, the auditors found that there were three additional cases of animal mistreatment (e.g., animal abuse or neglect, poor veterinary care) that they had never seen before, although all three cases were covered by the audit period of the document review. Conversely, in the auditors’ document review, they found 24 instances of animal mistreatment involving 12 employees that were not

listed in ABBRA. This raises obvious doubts that ABBRA shows a “complete accounting of all employee infractions,” as CACC claimed it does.

CACC also challenged the criterion used by the auditors as a basis for their finding that animals did not always have access to water. CACC states that the “Federal standard for humane care of animals by laboratories, dealers and transporters requires access to water for at least one hour, two times each day.” While this may be the Federal standard, CACC's own procedures require that water be “available at all times.” This CACC requirement is clearly stated as the audit criterion in the “Animals Were Not Provided Constant Access to Water” section of the report.

CACC also charges that “the auditors play loose with statistics by indicating that five of 48 animals (10%) lacked access to water during one shelter tour. In reality there were 487 animals in the building on that day.” In fact, the auditors never stated that the percentages reported were for the entire building. The audit report clearly states the number of wards in which the auditors found each condition (i.e., animals that lacked access to water, cages that were soiled) out of the total number of wards the auditors observed, and states the percentage of cages where the condition existed for those particular wards.

### **Veterinary Care Issues**

In response to the audit’s finding of poor veterinary care, CACC states that the audit’s determination was made “largely through the unsubstantiated word of unidentified, non-credentialed persons.”

In fact, as is clearly presented in this report, much of the evidence of poor veterinary care was obtained from CACC’s own documents. Specifically, evidence of poor veterinary care was discovered during the auditors’ document review (e.g., personnel files, disciplinary action notices, notes-to-file, and shelter manager’s logbook) and this condition was further substantiated by interviews with former employees, rescuers, and customers.

After the exit conference, CACC requested that the auditors provide the identities of the former employees, rescuers, and customers, or animal identification numbers, for the instances of poor veterinary care cited in the report. However, to protect the anonymity of the sources, the auditors were unable to provide this particular information. Many of the rescuers who participated in the audit survey were initially reluctant to speak and expressed fear that if CACC management were to know that they had been critical of the organization, management would retaliate by preventing them from taking animals from CACC in the future.

CACC also alleges that the auditors “failed to provide the proper context for these disciplinary actions...,” and that “providing all the facts confirms that CACC greatly values well-trained, competent and committed veterinary medical staff and effectively supervises this staff such that failure to follow procedures is caught, documented and disciplined.”

Once again, CACC attempts to rebut a finding of poor employee performance with a statement that CACC disciplines employees for their poor performance. The fact remains that instances of poor veterinary care did occur. The instances described in this report reveal that a problem exists, even if employees are disciplined, and even if CACC treats many more animals successfully than poorly.

CACC states that “there is no factual underpinning supporting [the auditors'] claim” that contagious animals were kept in wards with healthy animals, increasing the likelihood that healthy animals might become sick and possibly be euthanized as a result. On the other hand, CACC itself acknowledged, in its response to Recommendation 4, that contagious animals may be kept in a mixed ward if a veterinarian has determined that the contagious animals do not present a threat to the other animals. Nonetheless, CACC challenges the auditors' conclusions because “the accountants on the Comptroller's staff are not qualified to render an opinion on the judgment of licensed veterinary professionals.”

The auditors never stated that they practice veterinary medicine and are qualified to determine whether an animal is contagious. The auditors merely observed and noted when there was a “contagious” designation on the cage cards. Based on this information, the auditors concluded that there were contagious animals being kept in the same wards as healthy animals in all three full-service shelters (i.e., Manhattan, Brooklyn, and Staten Island shelters).

CACC's claim that animals designated as “contagious” were present in non-contagious wards only because a veterinarian had determined the placement to be safe for the other animals is contradicted by statements made by CACC employees during the auditors' site visits to the shelters. CACC employees indicated to the auditors that the reason “contagious” and “non-contagious” animals were mixed in the same wards was because of the lack of adequate space, and did not indicate that this situation was determined by a veterinarian to be safe.

In addition, CACC conveniently leaves out of its response any discussion of the Staten Island shelter. As mentioned in this report, the Staten Island shelter has no area at all for contagious animals where they can be kept separately from the adoption and stray animal wards.

### **Issues Concerning Adoption Efforts**

CACC claims that the auditors' analysis of its adoption rates had a “limited focus” because of their emphasis on adoptions rather than on the “rate of live release.” CACC further maintains that “even with their limited focus, their analysis is flawed” because “actual data provided to the auditors from the CACC Chameleon data base shows that in 2001 CACC increased its direct adoptions in each of three categories of adoptable animals: highly adoptable, adoptable and potentially adoptable.”

The data to which CACC refers was provided to the auditors after the exit conference, and does not match the data in the Monthly Animal Activity Reports that CACC provided to DOH for the same time periods. The data in the Monthly Animal Activity Reports to DOH was used to prepare Tables I and II on page 40 of the report. The data shows that between the first

six months of 2000 and the first six months of 2001, direct adoptions increased from 8.2 percent to 10 percent of intake (an increase of 1.8 percentage points), and total adoptions decreased from 26.3 percent to 22.9 percent of intake (a **decrease** of 3.4 percentage points).<sup>38</sup> In actual numbers, direct adoptions did increase by 13 percent, from 2,544 to 2,878, but total adoptions **decreased** by 19 percent, from 8,119 to 6,575. Notably, CACC left total adoption numbers out of its analysis, at the same time accusing the auditors of focusing their analysis too narrowly.

The Monthly Animal Activity Reports do not contain a breakdown of adoptions by animals' designated adoption status (e.g., highly adoptable, adoptable, etc.), so it is not possible to address CACC's claims regarding the increases in adoption rates of the animals with higher statuses. However, the auditors believe that the most objective method for measuring the trend in CACC's adoption rates is to compare the total number and percentage of animals adopted in each time period—not the number and percentage from particular status groups. This is the only method that avoids the influence of any possible subjectivity in the process of conferring an adoption status on animals.

CACC states that its reliance on rescue groups “to place more than 6500 animals in 2001 belies the allegation that ‘CACC has discouraged some rescue groups.’” In fact, some rescuers indicated to the auditors that, in spite of their having been discouraged by CACC or prevented from taking out as many animals as they wished, they continue to take animals from CACC because of their desire to help the animals. Moreover, the decrease by 1,878 (34%) in the number of animals CACC placed with rescue groups between the first six months of 2000 and the first six months of 2001 supports some rescuers' claims that CACC had made it more difficult for them to take animals.

CACC asserts that “the auditors wrongfully conclude that ‘CACC limits the pool of animals available for adoption,’” arguing that “CACC considers far more animals as adoptable than most open admission humane organizations.” CACC, however, has never provided any evidence to back up this claim. Furthermore, the report makes it clear that there is evidence to support the finding that CACC seems to have inappropriately limited the pool of animals available for adoption.

CACC also argues that the auditors did not understand “the implications of Status 4 (aggressive) designation,” and that Status 4 animals “represent a public safety risk if released without a complete temperament evaluation to assess the level of risk.”

In fact, the auditors did understand CACC's definition of Status 4, which states:

“Status 4 animals have temperament issues which make the animal unadoptable at this time, but for which there is a reasonable probability that a 24 hour period of acclimation and temperament reevaluation by a qualified adoption or medical personnel may result in the animal later becoming a candidate for adoption or rescue. Reevaluation of these animals is limited by staff availability and reevaluation cannot be guaranteed for all such animals.”

---

<sup>38</sup> In the Monthly Activity Reports, animals adopted directly by customers are reported as “direct adoptions” and animals taken by rescuers are reported as “rescue adoptions.”

Since, according to CACC, not all Status 4 animals are reevaluated, clearly some animals that may in fact have been found to be adoptable are not given a chance at adoption.

CACC states that organizations such as the ASPCA, Bide-A-Wee, and the B.A.R.C. “do not represent valid comparisons to CACC in either the number of adoptions, the cost per animal adopted, or the scope of the functions performed as each is a limited admissions shelters, while CACC is an open admission organization,” implying that the auditors used faulty methodology to arrive at their conclusions. However, CACC’s comparison is disingenuous, because the auditors never compared CACC to these other shelters in terms of adoption rates, the cost per animal adopted, or the full scope of functions performed. The auditors simply used the practices of those shelters to illustrate some methods CACC could use to increase adoptions.

CACC also states that “the Comptroller appears to disagree with [CACC's] prudent resource choice” that it “defer to [other shelter groups] those services they provide well—humane education and community outreach—and to concentrate our limited resources on the tasks they will not perform—namely animal control and care for animals who are not easily placed.” Although we agree that CACC should be prudent with its limited resources, it does not negate the contract requirement that CACC “conduct education and community outreach concerning animal control and public health issues.” The contract requirement notwithstanding, more important to CACC and the animal population are the benefits derived from a public that is informed about animal care, pet owners who are knowledgeable about their responsibilities, and finally, a public that is increasingly aware of CACC itself and the services it offers.

### **Issues Related to Document Access**

CACC attempts to discredit the auditors' findings by discrediting the documents the auditors used to develop those findings. CACC states that the “files, log books and notes to file” that the auditors examined during their document review are “unofficial documents that are not permitted now that their existence has been brought to the attention of CACC management.”

This is a ludicrous statement that reflects either executive management’s disingenuousness or its ignorance of its own organization’s practices. The documents the auditors reviewed were maintained by shelter management. As described to the audit team by shelter management, when an incident occurs, a disciplinary action notice is filed if it involves a union employee, and a note-to-file is filed if it involves a non-union employee. These reports are then forwarded to CACC’s administrative office.

CACC denies that it did not provide access to all personnel records. CACC states that, when asked for documents or reports, it nearly always provided them “the same day or within a few days when [they were] not readily available.” CACC claims that “although CACC never denied access to personnel files for the purpose of review, when the Comptroller asked for approval to copy personnel files, CACC requested assurances that the personal identifying information would be kept confidential . . . . This request by CACC was originally made in April 2001, was eventually elevated to the level of the Comptroller’s Counsel and upon receipt in

May 2001 of this written assurance of privacy protection, access to copy the personnel files was provided. The auditors fail to acknowledge the reason for this delay in the report.”

The most critical examples of CACC’s delays in providing access to documents are described in some detail in the body of this report, so it is unnecessary to repeat here the fallacy of CACC’s claim that nearly all documents and reports were provided “the same day or within a few days.” However, we will address CACC’s implication that the auditors were not permitted full access to personnel files for legitimate reasons. The fact is that the auditors did assure CACC that all personal identifying information would be kept confidential when they requested full access to the personnel files (including the right to copy them).

In addition, as stated earlier in the report section entitled “Limitations on Access to Records,” besides the personnel files, CACC denied the auditors access or delayed their access to other records, such as the records maintained at the shelters.

CACC further states that “The auditors were again reviewing records in the central office on September 10<sup>th</sup> 2001, despite having been given access in April 2001. . . . No further requests were made by the Comptroller to return to examine our documents further. . . . it is not proper to blame us for their failure to follow up on the data gathering.”

Since the Comptroller’s Office knew that CACC’s administrative office was located within the restricted area around the World Trade Center site, we are not blaming CACC for preventing the auditors from reviewing the personnel files for reasons attributable to September 11<sup>th</sup>. However, since the shelters were not in the restricted area of Lower Manhattan, the auditors requested access to the records maintained at the shelters (e.g., managers’ logbooks, notes-to-files, etc.). As stated earlier in the report, this is when CACC’s executive director denied auditors access to the documents at the shelters, as well as further access to all CACC documents, including the personnel files. Therefore, even after access to CACC’s central office was restored, the auditors were still unable to review any documents because of the executive director’s order denying further access to CACC records.

### **Issues Concerning Restrictions on Staff Interviews**

CACC states that it “advised the audit team that we would permit all staff to be interviewed at the auditors’ convenience, but, as had been our practice during the financial audit previously conducted by the Comptroller, all interviews would be conducted in the presence of a member of CACC Counsel’s office.”

In fact, during that financial audit, the auditors interviewed staff in the general counsel’s presence only for the initial meetings. After those meetings, the auditors were able to interview staff without the general counsel’s presence. Obviously, CACC changed its policy between the financial audit and this operational audit.

CACC also argues that “it is difficult to believe that the official position of the Comptroller’s Office is that a not-for-profit must subject its employees to interrogation by the City without the presence of a lawyer.”

It is common audit practice for auditors to interview—certainly not to interrogate—all staff who actually perform the functions being audited. Common sense dictates that employees might not always feel that they can speak freely with a supervisor or a lawyer sitting next to them and monitoring everything they say. These circumstances are not conducive to honest discussions. Under the limitation imposed by CACC, the auditors believed that they would not be given free and unfettered descriptions of CACC’s actual daily operations by CACC employees, but would, instead, hear descriptions that mirrored management’s policies.

Based upon CACC’s refusal to permit the auditors to interview staff under circumstances that would allow them to speak freely, the auditors could not obtain a full account of management problems, inaccuracies in the organization’s records, or possible misstatements of the organization’s policies and practices.

### **Issues Related to the Audit’s Adherence to Generally Accepted Government Auditing Standards**

CACC claims that this audit failed to adhere to Generally Accepted Government Auditing Standards regarding the use of reasonable criteria for performance evaluation, the skills and knowledge of the auditors assigned, audit planning, the sufficiency and competency of evidence, and objective reporting.

The New York City Charter requires that the audits conducted by the Comptroller’s Office comply with GAGAS. GAGAS require that organizations conducting audits in accordance with these federal standards undergo an external quality control review at least once every three years. The external quality control review, which is to be conducted by an independent organization (e.g., an independent CPA firm or independent audit organization), should determine whether the reviewed organization’s internal quality control system is in place and operating effectively to provide reasonable assurance that established policies and procedures and applicable auditing standards are being followed.

The Comptroller’s Audit Bureaus have undergone external quality control reviews since 1992. These reviews have been conducted every three years, in accordance with GAGAS. The Institute of Internal Auditors (IIA) conducted the most recent review in November 2001.

IIA concluded that the Bureaus of Audit of the Comptroller’s Office generally conform to the Government Auditing Standards. In its report, IIA noted that:

- The Bureaus’ working paper documentation was excellent.
- The Bureaus used innovative, extended audit steps to determine whether fraud existed in audits of the City.
- The Bureaus hire only qualified college graduates as auditors.



- The Quality Control program is well managed and provides summary information on areas that can guide the staff to perform even better audits.

The Comptroller's Office considers the external review to be an extremely important independent check on the quality of its audit work. The IIA review refutes CACC's claim that this audit did not adhere to GAGAS.

**Additional Information**

Many of the findings in this report were further supported by other rescuers, former employees and customers who were not included in our surveys, but with whom we spoke during the course of the audit. Specifically, we spoke to six former employees, five rescuers, and three customers who either contacted us after learning of the audit, or whom we contacted as part of our background research for the audit. Since these individuals had not been selected for our surveys through our sampling methodology, we did not present information from our conversations with them in the body of the report. However, we are presenting this information here, because their statements lend further support to many of the audit's findings. Even though three of the additional former employees we spoke to have not worked at CACC since before 1999, their statements, as well as those of the more recent former employees, the rescuers and the customers all seem to point to the same problems cited throughout the audit report, indicating both the pervasiveness and enduring nature of these problems. In total, all six of these former employees, three of five of these rescuers and all three of these customers criticized aspects of CACC's operations and management. The following is a summary of these individuals' statements as related to the findings in the report.

**Understaffing**

Three of the six additional former employees we spoke with made statements to us regarding the lack of adequate staffing at the shelters. Like the former employees in our survey, these former employees also linked low staffing levels to the inability to properly care for, clean, or groom the animals.

**Evidence of Mistreatment of Animals in CACC Shelters**

Five of the six additional employees, two of the five additional rescuers and one of the three additional customers reported incidents of animal mistreatment in CACC shelters. Specifically, three former employees informed us of animal abuse or neglect cases; two former employees and two rescuers spoke of the problem of accidental euthanasias; and two former employees and one customer complained about poor veterinary care at the shelters.

**Evidence of Animal Abuse and Neglect**

Of the six additional former employees we spoke to, three informed us of animal abuse and neglect cases. For example, one former employee recounted an incident in which some employees injured a dog using bleach because of personal issues related to another employee. One former employee had a major concern that the dogs in CACC shelters never had enough water. This former employee also reported quitting after witnessing another employee setting a dog to attack a cat. Another former employee witnessed an employee hitting a dog with the metal clip of a rope

used to restrain animals.<sup>39</sup> This former employee also stated that he tried to rescue a puppy that required leg surgery, but CACC denied the animal rescue placement. These alleged incidents of animal cruelty and neglect occurred at CACC's full service shelters in Brooklyn and Manhattan. (Note: The first two incidents of abuse recounted by these former employees was substantiated by documents CACC provided to us after the exit conference.)

### **Evidence of Accidental Euthanasias**

Of the six additional former employees we spoke to, two spoke about the problem of accidental or inappropriate euthanasias. One former staff member stated that there were many incidents in which people's pets were put to sleep by accident. Another stated that "there were a lot of stupid mistakes made, such as euthanizing the wrong animals."

Of the five additional rescuers we spoke with, two described cases of accidental euthanasia. One rescuer reported that two dogs that she was going to rescue were accidentally euthanized, even though she had asked CACC to place a Hold on both of them. According to the rescuer, CACC had told her that one of the two dogs was accidentally euthanized because its tag fell down to another cage and was mixed up with another animal's tag. As for the second dog, CACC stated only that it was euthanized because it was not adoptable, without giving the rescuer any further explanations. Another rescuer with whom we spoke stated that she had placed a cat on Hold at the Brooklyn shelter and even confirmed the hold status with the shelter manager. However, CACC later called her to report that the cat had been mistakenly put to sleep.

### **Evidence of Poor Veterinary Care**

Of the six additional former employees we spoke with, two criticized the quality of CACC's veterinary care. One former employee complained that CACC puts people without animal expertise in managerial positions, and that these individuals then inappropriately control veterinary practice at the shelters, "practically making diagnoses" and selecting certain animals for euthanasia. The other former employee stated that the veterinarians on staff at CACC are unqualified.

One of the three additional customers we spoke with complained about poor veterinary care. This customer spoke to us regarding a dog he had adopted through a rescue group in December 2000. The rescue group had taken the dog from CACC the day before this customer adopted it. The customer complained that his dog had been subjected to an inappropriate surgery performed by a CACC-contracted veterinarian. The veterinarian had received the dog from CACC already neutered (there was a scar from the earlier neutering) but had performed exploratory surgery on the dog to confirm the earlier neutering. According to this customer's own veterinarian, as well as another veterinarian we contacted, this invasive procedure was unnecessary and inappropriate. This customer also stated that when he visited his veterinarian shortly after adopting the dog, his veterinarian told him that the dog was malnourished.

In addition to these complaints, one of the five additional rescuers complained about the

---

<sup>39</sup> The employee who hit the dog with the metal clip was fired.

misevaluation of animals, specifically stating that the age and sex of the animals have been wrong many times, and that there is no rhyme or reason for the status levels that they give the animals.

### **Lack of a Formal Customer Service Quality Assurance Program May Prevent CACC From Ensuring That its Adoption Process Is Encouraging to All Customers**

Two of the three additional customers we spoke with complained about CACC's adoption process. One stated that while she was in the waiting room of one of the shelters, she saw at least three people who were waiting to adopt animals leave because they got fed up with waiting for so long. She also stated that CACC's pre-adoption questionnaire and interview include many more questions than those of other rescue groups she has dealt with. Another customer stated that she was very unhappy with the process she was forced to go through in her attempt to adopt a cat. She said that she and her husband were made to sit through a half-hour interview during which they were asked many questions that she thought were overly intrusive, such as their income, hours they work, and the colors of the rooms in their house. The reasons for the questions were not given. At the end of the interview, she was told, without any explanation, that she could not adopt a cat that day and would have to come back Saturday. Overall, this customer thought that the adoption process was very discouraging and stated that she may not go back to CACC to adopt a cat (although she was ready to adopt the day she went). In fact, this customer eventually adopted an animal from North Shore Animal League. These complaints indicate that an even greater portion of potential adopters may have negative experiences at CACC than was reflected in our survey (which included only customers who were successful at adopting from CACC—not those who left after being forced to wait for too long, or those who were discouraged by the application process.)

### **CACC Has Discouraged Some Rescue Groups**

Three of the five additional rescuers complained about poor customer service. One rescuer stated that CACC staff do not have office decorum, are crude, vulgar, and condescending. She described an incident when she went to look for a dog that had just been brought to the shelter by the police. Without checking the Chameleon system, CACC staff told the rescuer that they did not have the dog she described. The rescuer had to keep badgering one of the service representatives before she would look for the dog in Chameleon—when the service representative finally looked in Chameleon she found that the dog was, in fact, at CACC. This rescuer claimed that CACC staff did not want to take the time to search the Chameleon system, and that this has happened to her twice. She also stated that some of the staff at CACC lack any understanding of the needs of the animals.

Another rescuer stated that CACC service representatives are rude, uncaring, lackadaisical, and have a “just-another-paycheck” attitude. She described a situation in which a placement specialist for rescue groups forced her to wait for a half-hour before helping her (when she arrived at the shelter the placement specialist for rescue groups was smoking a

cigarette outside and asked her to go inside and wait), despite the fact that she had called ahead to make arrangements to pick up 15 cats, and had informed the service representative that a pet taxi would be waiting for her so that she could get the cats to her veterinarian before he closed for the day. This rescuer also stated that while she was at the shelter, she overheard one staff member informing another that a mother and child had been waiting to be helped for approximately three hours.

Still, a third rescuer expressed how frustrating it was to try to reach someone at the shelter; specifically she stated that no one picked up the phone, no one returned calls, and sometimes she got disconnected.

### **CACC Limits the Pool of Animals Available for Adoption**

One additional former employee and one additional rescuer we spoke with indicated that CACC is limiting the pool of adoptable animals by prohibiting the release of older animals. The former employee with whom we spoke stated that while she was working at CACC, the executive director instituted a rule that prohibited employees from permitting the adoption of any animals more than five or seven years old (she couldn't remember the exact age). CACC's policy regarding older animals was confirmed by a rescuer who tried to take an older dog from CACC, but was told by a CACC official that the dog was 13 years old, and too old to be adopted; the official stated that it was CACC's policy not to adopt-out older dogs and cats. Unwilling to accept this, the rescuer asked the director of the rescue group to inquire about the dog during her visit to the shelter that same afternoon. Despite a second request for the dog, the director was told that it was not available for adoption, that there were "other dogs" they could choose from.

One of the three additional customers we spoke to also complained that CACC unduly restricts animals that are allowed to leave the shelters. This customer said she brought to CACC an abandoned cat she knew to be friendly. She told CACC that after CACC checked the cat out, spayed or neutered it, etc., she would like to rescue the cat (take it back and see to its adoption). While CACC initially assured her that the cat would be "tagged for finder" and that, if the cat had no fatal diseases, she would definitely be able to take the cat back, when she later contacted the shelter, she was told that although the cat was healthy, it had been categorized "unadoptable" because of its temperament, and that CACC would have to euthanize the cat. Despite her repeated calls to the shelter and to CACC's executive management to dispute the evaluation of the cat's temperament and plead for the cat's life, and her offer to sign whatever legal release necessary, this customer was unable to persuade management not to euthanize the cat. Eventually, she located the cat's original owner and worked with him to formally re-claim it. Only then did CACC release the cat.

**CACC's Management and its Operations Are Not  
Focused on Achieving All Aspects of its Mission and Contract**

All six additional former employees, three of the five additional rescuers, and one additional customer complained about various aspects of management.

One former employee stated that it was always a battle with executive level management to place animals through adoption because the executive level managers were afraid of many types of legal liability. Another former employee stated that she had requested additional help to get animals adopted but was denied help because management thought that adoption numbers did not warrant it. Yet another former employee claimed that he was fired for simply questioning why CACC was putting so many animals down when they did not have to.

Two of these former employees also complained that management discourages staff members who show a real desire to help the animals. One former employee stated that he knew of several other people who left CACC because they couldn't stand working there anymore, always fighting with management over the way things were done. Another former employee had come to CACC with extensive connections to rescue groups, but was prevented by management from placing many dogs with these outside groups—the dogs were instead put to sleep.

One of the former employees and one of the rescuers complained about management's prohibition against permitting adoptions of older animals. (These complaints are discussed in the section above.)

One customer also complained that CACC management seems to just want to push the animals through—not get them adopted. As described earlier, this customer stated that she had brought an abandoned cat to CACC, stating that after CACC checked the cat out, spayed or neutered it, etc., she would like to rescue the cat (take it back and see to its adoption). CACC designated the cat for euthanasia. Despite the customer's persistent and strenuous efforts, CACC would not reverse its stand and release the cat to her care until she found the original owner who formally re-claimed the cat.

## APPENDIX II

**Participant's Tel. #:** (     )

**Interviewed by:** \_\_\_\_\_

**Time:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Borough:** Bronx ( ) Brooklyn ( ) Manhattan ( ) Queens ( ) Staten Island ( )

***Audit of the Shelter Conditions and Adoption Efforts of the  
Center for the Animal Care and Control  
Audit # ME01-109A***

**Public Awareness Survey**

**Introductory Comments:**

**Good morning/Good afternoon, my name is \_\_\_\_\_ and I am with the NYC Comptroller's Office. We are conducting a survey on animal control issues in New York. Do you have a couple of minutes to answer a few questions concerning this?**

1. Do you own a dog or cat? Which one? Yes ☐ No ☐
2. Have you ever considered adopting a/another dog or cat? Yes ☐ No ☐
3. If you wanted to adopt a dog or cat, where would you go?
4. If you found a stray dog or cat wandering about the streets, whom would you call?
5. If you lost a dog or cat or knew someone who lost a pet, whom would you call?
6. Can you please name **3** places where you could adopt a dog or cat?

**sub-questions to #6** If CACC is mentioned, ask **How did you hear about CACC? Yellow Pages? Police Precinct? Word of Mouth? Flyers? Ad?**  
If they mention just 'Animal Shelter' ask **What Animal Shelters are you aware of?**

7. Do you think there is a problem with stray dogs and cats in NY? Yes ☐ No ☐
8. Have you ever heard of the Center for Animal Care and Control?  
Can you please name the locations that you are aware of? Yes ☐ No ☐

NYCDOH Veterinary Public Health Services  
CACC Contract Monitoring - Facility Inspection Report  
Contract Period: 01/01/93 - 12/31/00

Areas Requiring Inspection		Yes	No
1. Walls:	a. Clean, no holes	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Ceilings:	a. Clean, no holes	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Floors:	a. Clean, no holes	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Water proof	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c. Drains clean	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Lighting:	a. Adequate	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Exterior Doors:	a. Clean, intact, rodent proof	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Interior Doors:	a. Clean, intact	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Washrooms:	a. Clean	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Plumbing intact and adequate ventilation provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c. Toilet paper, soap, single service towels provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Wards:	a. Cages not overcrowded	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Cages washable and clean	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c. Cages intact	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d. Animals in appropriate cages	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	e. Clean, appropriately filled cat litter pans provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	f. Temperature appropriate	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	g. Ventilation adequate	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Storage:	a. Away from floor and walls	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Free of vermin	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c. Feeding equipment properly stored and clean	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d. Loose material properly stored	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Infirmary:	a. Separate, adequate, clean area provided for sick animals	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Examination and treatment rooms and equipment clean	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c. Vacuum breakers provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d. All areas clean and free of vermin	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	e. Sharps container provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	f. Medication within proper date and properly secured	<input checked="" type="checkbox"/>	<input type="checkbox"/>

		Yes	No
11. Refuse:	a. Properly stored in containers with tight fitting covers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Containers clean, free of vermin, odors and residual waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c. Containers adequate for size of operation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d. Hose bibb and vacuum breakers provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Records:	a. Adoption records kept	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Self-inspection current	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c. Animals kept 48 hours prior to euthanasia	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. Operations:	a. Veterinary protocols adhered to	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Food protocols adhered to	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Total shelter cage capacity \_\_\_\_\_

Number of cages available for use \_\_\_\_\_

Number of cages currently in use \_\_\_\_\_

REVIEWED BY ED BOVE  
Ed Bove 8-25-00

Locke



THE CITY OF NEW YORK  
**DEPARTMENT OF HEALTH**  
OFFICE OF THE COMMISSIONER



125 WORTH STREET, CN-28  
NEW YORK, NY 10013  
NYC.GOV/HEALTH

THOMAS R. FRIEDEN, M.D., M.P.H.  
COMMISSIONER  
TEL (212) 295-5347  
FAX (212) 295-5426

May 3, 2002

Roger Liwer, Assistant Comptroller for Audit  
The City of New York Office of the Comptroller  
Bureau of Audits  
1 Centre Street, Room 1100 North  
New York, New York 10007-2341

Dear Mr. Liwer:

The Department of Health (DOH) is responding to the draft audit report on shelter conditions and adoption efforts for the Center for Animal Care and Control (CACC) dated April 19, 2002. This response relates only to matters within the scope of DOH's contract with CACC. CACC's response to matters within the scope as well as those matters outside the scope of the contract has been prepared by CACC and is attached to this response for your information.

The Department disagrees with the report's main findings: that animals are not sheltered under humane conditions and often receive poor veterinary care. These findings are contrary to observations by DOH Veterinarians and Sanitarians. DOH has been closely monitoring the operations of CACC, the contractor that provides services to the City under contract, since its inception, January 1, 1995. From that date through April 2002, DOH has closely monitored CACC's contract performance and conducted over 1,200 inspections of CACC facilities. During these inspections, DOH did not observe evidence of inhumane treatment or substandard veterinary care cited in your audit. Although the audit notes on pages ES7 and ES8 that differences in review methodologies may have yielded different results, the training and experience of the DOH staff who conducted these inspections provide us with a high degree of assurance that the animals in CACC's charge are appropriately cared for. While DOH did not see evidence of such deficiencies, the Department is nonetheless concerned by the audit's findings.

The Department generally agrees with the report's finding that CACC has not been as successful as hoped in the area of increasing adoptions. DOH is working with the CACC to streamline and improve adoption procedures and has begun discussions with the animal care community, of which CACC is a part, to explore potential partnerships that will maximize animal care efforts and reduce demand for animal control services.

Inspections of Shelter Conditions and Operations: Beginning in 1995, DOH inspected all CACC

CACC Audit Response 5/3/02

shelters at least once a week. Since 1999, the frequency of CACC shelter inspections increased to twice a week. Animal-receiving facilities are currently inspected at least once a month. All inspections are performed by either New York State licensed Veterinarians or Public Health Sanitarians. The two Veterinarians conducting these inspections have more than 26 years of combined clinical experience treating small animals. The two Sanitarians conducting these inspections have all completed an intensive 6-week training course conducted by DOH's Health Academy and have more than 20 years of combined experience conducting inspections. During the audit period from January 1, 1999 through June 30, 2001, DOH conducted over 531 inspections of CACC facilities. Copies of these inspection reports were provided to the Comptroller's Office at the March 4, 2002 meeting. Of these inspections, 222 by Veterinarians took place at the Manhattan Shelter, 218 by Veterinarians took place at the Brooklyn Shelter, 31 (2 by Veterinarians, 29 by Sanitarians) took place at the Staten Island Shelter, 30 (25 by Veterinarians, 5 by Sanitarians) took place at the Queens Animal Receiving Facility and 30 (24 by Veterinarians, 6 by Sanitarians) took place at the Bronx Animal Receiving Facility. These inspections included frequent unannounced visits that investigated the physical plant, ward conditions, humane treatment, rabies observation of biting animals, compliance with applicable laws and regulations, record keeping and other activities that affect shelter operations. During site visits, DOH Veterinarians inspected all caged animals and reviewed medical records.

Based on the observations by DOH Veterinarians and Sanitarians during these inspections, we disagree with the findings of poor veterinary care and inhumane treatment reported in the audit. Specifically, DOH did not observe any cases of poor veterinary care, contagious animals being caged in general wards with healthy animals or inhumane treatment during 531 inspections conducted by DOH Veterinarians and other staff during the audit period. The auditors may have drawn other conclusions about the handling of contagious animals based on a misunderstanding of how cage cards are used by CACC. In addition, we also monitor animal bite cases and found no instances where these animals were accidentally euthanized.

Monitoring of Contractual Requirements: Since its inception, the CACC contract has been monitored by DOH through the veterinary inspections described above, the review of CACC reports, and follow-up on customer complaints. With the contract period beginning July 1, 2001, DOH expanded its on-site monitoring to include a comprehensive review of all contractual requirements. DOH monitoring has found deficiencies in CACC's adoption process, customer service, volunteer program and education and outreach efforts. Monitoring includes both operational and veterinary care contractual requirements. Aspects of the monitoring plan include adoptions, euthanasia, volunteer program, education and community outreach, customer service, intake and record keeping. The protocol requires three (3) site visits to each facility and a review of random sampling of records. The first site visits were conducted in November 2001; the second site visits were conducted in April 2002; and the third site visits will be performed in June 2002. Effective July 2002, the number of site visits will increase to four times per year. DOH has met with CACC to begin implementation of a corrective action plan for the deficiencies found during the site visits, i.e., the process of adoptions, customer service,

CACC Audit Response 5/3/02

volunteer program and outreach.

Adoptions: DOH and CACC have planned to streamline adoption paperwork. DOH has provided CACC with an electronic version of the dog license application that will be completed through the Chameleon system, thereby eliminating the need for paper processing. DOH has approved an electronic prototype of the rabies vaccination card for CACC to pilot before implementation. In addition, DOH and CACC have formed a joint committee to review current adoption procedures and develop improved strategies to increase adoption, including streamlining the adoptions process, increasing utilization of the Internet, and increasing participation in community events.

Customer Service: As a result of deficiencies in CACC's customer service program observed during our contract monitoring process, DOH has worked with the CACC over the past several months to improve its customer service program. CACC currently makes random telephone calls to field and shelter customers to evaluate customer satisfaction. Recently they have developed a post card survey that will be mailed to customers to follow-up on their experiences with CACC services. In addition, CACC is training shelter managers and other staff in improved customer service skills. This training is ongoing and will be part of new CACC staff orientation.

Volunteers: DOH agrees with the Comptroller's findings of inadequate use of volunteer staff and has been working with the CACC to increase the number and utilization of volunteers. Currently, CACC uses interns who are enrolled in the Veterinary Technician Program at LaGuardia College. DOH is working with CACC to identify other areas that can increase the number and improve overall utilization of volunteer services.

Public Education and Outreach: Effective September 2000, CACC began reporting its public education field staff activities to DOH in a monthly activity report. During the period between September 2000 and June 2001, CACC field services staff conducted 4,624 public education contacts. We are working with CACC to develop partnerships with other city agencies as well as private entities with an interest in animal care issues to increase educational and outreach opportunities.

Additional Staff: DOH agrees with the recommendations to consider hiring additional kennel attendants and veterinary staff if additional funding becomes available. However, DOH and CACC are focusing on ways to improve services without additional DOH funding, i.e. developing a closer working relationship with the animal care community and developing strategies to better utilize current resources and increase funds raised from private entities. With increased funding from private sources, one of the potential uses will be to hire additional kennel staff for improved animal care services.

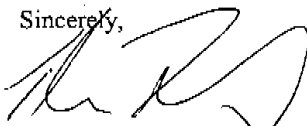
Performance Measures: Although the City's current contract between DOH and CACC does not include specific performance indicators, DOH does use specific guidelines to measure

CACC Audit Response 5/3/02

performance as part of our inspection process and CACC's overall compliance with the regulations and standards appropriate to its operations. The Department is currently renegotiating its contract with CACC to begin July 2002 and will include specific performance measures within the contract to enable DOH to better monitor contract compliance. These measures will be based on industry standards and guidelines and nationwide "best practices" for animal shelter operations.

In conclusion, the Department does not agree with the findings of inhumane treatment and substandard veterinary care. We do, however, agree with some of the other findings as described above. Beginning November 2001, discussions began with CACC concerning corrective actions required based on our monitoring. The Department continues to work with CACC toward improving animal care and control services. To that end, DOH has initiated discussions with members of the City's animal care community to strengthen public-private partnerships. DOH believes that improved public-private partnerships will enable the animal care community to improve animal care services and will help leverage the City's investment of City funds to maximize adoptions and reduce demand for CACC's control services. Such partnerships should also maximize spay-neuter initiatives to further reduce demand for control services and help educate the public on responsible pet ownership. We are committed to ensuring that the City achieves its overall goal of providing the highest level of animal care service while simultaneously reducing the need for animal control services.

Sincerely,



Thomas R. Frieden, M.D., M.P.H.  
Commissioner

Attachment: CACC audit response

11 Park Place  
New York, New York 10007  
Tel: 212-442-2059  
Fax: 212-442-2066  
E-mail: mblohm@nycacc.org

**Marilyn Haggerty-Blohm**  
*Executive Director*



May 3, 2002

Honorable William Thompson  
Comptroller  
One Center Street  
New York, New York 10007

Dear Comptroller Thompson:

Attached please find the response of the Center for Animal Care and Control, Inc. ("CACC") to Audit Report of the Shelter Conditions and Adoption Efforts of the Center for Animal Care and Control/MEO1-109A. CACC anticipates that in accordance with audit protocol, this response will be amended to the Final Draft before public release. The opportunity to provide such a comprehensive response is appreciated.

Respectfully,

Marilyn Haggerty-Blohm  
Executive Director

**Response of Center for Animal Care and Control, Inc. ("CACC") to  
Audit Report on the Shelter Conditions and Adoption Efforts of the Center for  
Animal Care and Control  
Audit Number: MEO1-109A**

**Overview**

Despite the inadequacy of the evidence cited in its preliminary and final draft audits, as shown by our response to them, the Comptroller's Office chose to finalize its audit of our shelter conditions and adoption efforts ("Audit Report of the Shelter Conditions and Adoption Efforts of the Center for Animal Care and Control/ MEO1-109A") in anticipation of its public release.

The observations reported frequently lack sufficiency, competency and relevance to the Comptroller's conclusions, thus failing to support the conclusions reached. Moreover, the conclusions reached in the preliminary and final draft audits reflect an absence of expertise on the issues and a lack of objectivity that is to be expected of an audit conducted under the Generally Accepted Government Auditing Standards (GAGAS), which govern these types of audits.

Many of the conclusions reached in this audit are not credible, as evidenced by: the antagonistic tone throughout the audit; the use of words and phrases of an inflammatory nature; the failure to use experts in areas requiring specialized knowledge; the slanting of the data presented; the inadequacy of the samples taken; the failure to make explicit the significant differences between CACC and the organizations with which it is compared in the audit; the failure to credit CACC's significant accomplishments; and the use of anecdotal information from unnamed sources holding a clear potential for bias against CACC.

By limiting the scope of this audit, assigning specific staff with limited relevant knowledge, ignoring critical public safety issues, and ignoring reason and common sense, the Comptroller brings the objectivity of this audit into question. His choice of audit staff is akin to asking an Animal Control Officer to balance the CACC books.

During the period of this audit, CACC facilities were inspected 531 times by licensed DOH veterinarians and Public Health Sanitarians. This is an average of one inspection each day during the audit period. During these 531 inspections by licensed professionals, no evidence was found of inhumane treatment of animals or poor veterinary care when judged by the legal and professional standards in the field. The auditors, with no experience in this area, cite the 531 inspections, and state they do not believe their findings are "necessarily inconsistent with the findings in [their] report, because DOH veterinarians and public health sanitarians evaluate conditions in the shelters and the quality of care differently than [they] did." This is precisely CACC's point. The audit fails to evaluate CACC against relevant standards in the field and the auditors believe they understand the issues better than licensed professionals in the field.

They also claim that their findings are more accurate because their record reviews, surveys and 15 visits are more detailed and give broader insight than the 531 DOH inspections which, according to the auditors, cover specific periods of time and could not have identified the instances they found. This is absurd on its face. They also did not visit wards that were being cleaned at the time of their visits. Thus, their concern about getting wet prevented them from commenting on the cleaning procedures

The Comptroller was never denied access to CACC's official records, regardless of the irresponsible claim made in the audit. The auditors were again reviewing records in the central office on September 10<sup>th</sup> 2001, despite having been given access in April 2001. After September 11<sup>th</sup>, CACC did not return to its offices until late October because the area was restricted by order of the NYC Police Department. No further requests were made by the Comptroller to return to examine our documents further. It is understandable that they were preoccupied with other issues at such a tragic time, but it is not proper to blame us for their own failure to follow up on the data gathering. The audit team never advised DOH that it was having problems with access to documents at CACC further undermining the credibility of their repeated allegations

These are outrageous accusations that should have been deleted in the face of the documentation provided, if not for reasons of logic and fairness alone. At the minimum, it deserves a retraction and an apology.

## **BACKGROUND**

### **Political influence in the audit process**

This audit was commenced, fieldwork was completed and the draft was issued under the tenure of former Comptroller Alan Hevesi. CACC is surprised therefore that Comptroller William Thompson could be so ill served by his staff both in the reporting and the issuance of this audit; one that was clearly motivated by the political interests of his predecessor. Comptroller Thompson has chosen to accept and finalize this audit despite CACC's invitation that the Comptroller conduct a new audit using veterinarians, public health sanitarians, and other licensed and/or credentialed animal care experts for fieldwork and statisticians capable of more thorough, statistically significant surveys. Instead, this well-intended and purposeful invitation was ignored by Comptroller Thompson, who has not responded to any of CACC's correspondence.

It is important to provide a context for this audit. CACC was originally approached by the Comptroller's Office in 1998 indicating that the animal activist community in NYC was not satisfied with the results of the financial audit just completed by the Comptroller and that they were pushing for a performance audit. CACC had recently received a significant increase in funding and suggested that a performance audit conducted one year hence would reveal significant improvements. CACC was not contacted by the Comptroller's Office until late 2000. When asked, the Comptroller's Office indicated that the audit was, in part, the result of renewed calls from the activist community.

Indeed, during the conduct of the audit the audit team met several times with outspoken and critical members of the special interest groups. The areas selected for audit mirror the criticisms of this small, but vocal, group.

The audit was conducted during the Mayoral campaign in which Alan Hevesi was a candidate who supported the special interest group's call for the abolition of CACC. More than once during the campaign, then Comptroller Hevesi responded publicly to questions from the special interest groups that he was auditing CACC and intended to release the audit. In fact the audit team met several times with Shelter Reform Action Committee members during the conduct of the audit. Clearly, this places the objectivity of this audit in question. The report itself answers that question.

### **Animal Control Issues**

CACC is the only organization in the New York area that is required by law and by contract to take control of every animal brought to it, including more than 21,800 deemed vicious or aggressive, which pose a significant danger to the people of New York and 16,218 which are too injured or ill to be adoptable. CACC cares for and re-homes or finds placement for more than 15,500 animals annually, while accepting animals no other shelter will handle.

CACC handles more than 57,000 animals per year; 90% of these are dogs and cats. The remaining 10% include urban wildlife – raccoons, possums, pigeons –as well as reptiles, birds, farm animals and 'pocket' pets – hamsters, rabbits, etc. Of the dogs and cats, fully half are animals that have been found roaming the streets of New York City, posing a risk to adults, children and leashed pets from attacks, disease, and auto accidents caused by animals darting into traffic. Those animals that are not a danger to the public are themselves in danger of injury, illness, attack and starvation.

Roughly half the animals that arrive at CACC shelters are deemed too aggressive, ill or injured for re-homing. One third of these are aggressive animals. In addition to street dogs, CACC assists the New York City Police Department in cases involving roaming packs of wild dogs, fighting dogs, which are typically gang related, and dogs used by drug dealers for protection. These animals are specifically trained to be aggressive and can rarely be rehabilitated successfully enough for that aggression to be eliminated. At best these animals remain unpredictable; at worst they remain dangerous. They do not belong on the streets of New York.

In addition to removing feral cats that are not associated with managed colonics and dangerous dogs from the streets and lots of New York, CACC responds to calls of wildlife that are injured or present a danger to residents. In 2001, 14 animals picked up by CACC, including one cat, tested positive for rabies. Few New Yorkers are aware that rabies has been found in New York City. If CACC were not responding to these calls, the potential for rabies exposure would be greatly increased. CACC provides an essential service to the City of New York.



CACC is under contract by the Department of Health to *provide services that protect the health and safety of the New York City public* and is the only organization in NYC charged with protecting the public health in instances involving animals. CACC is the only open admission shelter in NYC.

In conducting a performance audit of CACC, the Comptroller's Office ignored CACC's contractual obligations that protect the well being of New Yorkers and, instead, focused on those aspects of the contract that provide for the well being of the animals. In doing so, the Comptroller fails to portray the full importance of CACC to the residents of New York City.

The Comptroller failed to audit the success of CACC's efforts to pick up animals that are at-large, sick or dangerous (15,000 animals per year); its programs for accepting surrendered, lost and stray animals at the shelters (40,948 animals); the improvement in returning lost animals to their rightful owner (up 11%); the implementation of the progressive mandatory spay/neuter law aimed at controlling pet overpopulation (6,970 animals altered in 2001) and, finally, the level of compassion and expertise employed when providing a humane and painless death to unwanted and unadoptable animals.

#### **Animal Care Issues**

In addition to these important animal control responsibilities, as an animal welfare organization, CACC is committed to sheltering animals in a humane manner; reducing the numbers of homeless animals by promoting adoptions (up 12% in 2001), and conducting public education and community outreach *concerning animal control and related public health issues* (4878 times in 2001). All are required under the terms of the contract.

Furthermore, CACC works with smaller area shelters and humane organizations to reduce the number of homeless animals, which is part of our corporate mission (6,518 animals were released to more than 200 rescue groups for placement in 2001). The Comptroller chose to audit these last two functions that represent only a part of the overall efforts of CACC.

Despite the impression given by the Comptroller's audit, CACC takes its responsibilities to care for animals seriously. The provision of adequate housing, a safe and clean environment, adequate nurturance, medical services and temperament testing are clearly among our priorities and most significant accomplishments.

With respect to safety, CACC has an aggressive and proactive approach to dealing with mistreatment of animals in our shelters. CACC has rigorous standards for conduct, oversight within and outside the organization, staff training and documentation of any occurrences of what?. CACC disciplines employees, under contract provisions, for actions of commission as well as omission that affect the well being of an animal. CACC takes its responsibilities seriously and disciplines all such infractions up to and including termination. The evidence of animal mistreatment discovered by the audit team was

found in the personnel records of CACC employees indicating that CACC not only uncovers, but also disciplines, any acts of mistreatment. The auditors were too busy trying to support unfounded accusations to recognize that CACC is very effective at policing its staff.

The auditors spend a disproportionate amount of the report chastising CACC management for not providing “full” access to documents that are not the official CACC personnel records. Yet the accountants never requested reports generated by the CACC human resources management system, ABBRA, which provide a complete accounting of all employee infractions resulting in discipline, including those that involved direct care of the animals.

The auditors conclude that “animals are not always sheltered in humane conditions” but fail to define what standard is used, if any, to reach this conclusion.. In fact, the Federal standard for humane care of animals by laboratories, dealers and transporters requires access to water for at least one hour, two times each day. CACC far exceeds that objective standard.

The auditors play loose with statistics by indicating that 5 of 48 animals (10%) lacked access to water during one shelter tour. In reality there were 487 animals in the building on that day some of which were scheduled for surgery and had water withheld for that reason. Thus, less than 1% of the animals lacked access to water at the precise moment when the auditors walked through the shelter. But even this minute percentage does not demonstrate how long it took to provide water to these animals. Their conclusion that animals “were not being consistently spot-checked for clean water bowls” is based on their observation of “such a disparity between the conditions in the various wards – in some wards all animals had access to water, ...while in others none of the animals had access to water ...”. Their conclusions in these areas are wrong. In the case of wards being cleaned, water is filled before the animals are returned to their cages. Spot water inspections are done during all visits of the staff to the wards for any reason during the day.

In another walk-through, 21 of 144 (15%) of the animals were reportedly in soiled cages. The total number of animals in the building that day was 483, thus 4% were actually observed in soiled cages. The auditors did not determine how long it took to address these conditions, but assumed that the animals would not have been watered or cleaned at any time after the visit. Their conclusions in these areas are wrong. Full cage cleanings are conducted daily in each ward and spot cleanings are done as required. The auditors did not come back to check on those cages and have no basis to determine how long it takes before a soiled cage is cleaned.

### **Veterinary Care Standards**

Instances of sub-standard veterinary care are subject to strict disciplinary action by CACC, as evidenced in our personnel records. Largely through the unsubstantiated word of unidentified, non-credentialed persons, the auditors determined that there was “evidence of poor veterinary care.” These unfounded allegations injure the reputations of the licensed and unlicensed professionals at CACC and of our outside contract veterinarians. Such allegations are unfair in that staff is not afforded an opportunity to address their accuser. This biased and blatantly unfair tactic unfortunately is consistent with the overall tone of this audit report. Furthermore, the accountants, who should have an appreciation for numbers, failed to provide the proper context for these disciplinary actions despite the fact that we gave them information on the numbers of animals examined and treated without incident by each CACC veterinary department member.

For example, over a period of 2 ½ years, one veterinary technician was disciplined eight times for various infractions, none of which resulted in the death of an animal. During that time 27,000 animals were examined or treated by this veterinary technician. Failure to provide this context sheds doubt on CACC’s commitment to proper veterinary care. Providing all the facts confirms that CACC greatly values well-trained, competent and committed veterinary medical staff and effectively supervises this staff such that failure to follow procedures is caught, documented and disciplined.

CACC understands that the authority to perform euthanasia carries with it the awesome responsibility to be both accurate and humane. Even the most ironclad euthanasia procedures cannot protect against human error. CACC works to minimize the potential for human error by implementing strict procedures that, if followed, prevent accidental euthanasia. We regret those instances where human fallibility leads to erroneous euthanasia. This causes heartache for both the owner and the staff involved in the incident. Any discipline of employees for such matters does little to reduce their personal suffering over the animal’s death. An expert in the field of animal welfare could have assisted the auditors in understanding this dynamic.

The necessity of separating contagious and non-contagious animals by ward is determined by a veterinary evaluation based on the nature and degree of the contagion. Our contract requires the separation of these animals *only when necessary*. The auditors observed that ‘contagious animals were kept in wards with healthy animals and concluded that this “obviously increases the likelihood that healthy animals will become sick and possibly be euthanized as a result.” There is no factual underpinning supporting this claim. The Comptroller’s staff made limited visits (15 total visits to 5 shelters) and drew conclusions without the benefit of a veterinary determination. Under the State Education law, Article 130, Sub-Article 4, Section 6512, it is a class E Felony for an unlicensed person to practice veterinary medicine or to assist three or more persons in such practice. The practice of the profession of veterinary medicine is defined as diagnosing, treating, operating, or prescribing for any animal disease, pain, injury, deformity or physical condition...”. The accountants on the Comptroller’s staff are not qualified to render an opinion on the judgment of licensed veterinary professionals.

### **Adoption Efforts**

Despite considerable evidence to the contrary, the auditors concluded that “CACC has not made aggressive efforts to increase adoptions”. Humane organizations view the “rate of live release” as a true and effective measure of success in making placements. The auditors dismissed this approach to focus narrowly on adoptions. Even with their limited focus, their analysis is flawed. Actual data provided to the auditors from the CACC Chameleon data base shows that in 2001 CACC increased its direct adoptions in each of three categories of adoptable animals: highly adoptable, adoptable and potentially adoptable. Most of the gain came in the category of highly adoptable where CACC showed an increase of 16% over 2000. In the adoptable category the improvement was 9% and in the potentially adoptable category CACC doubled its efforts from 3% to 6%. Overall, 80% of the highly adoptable animals, 65% of the adoptable animals and 27% of the potentially adoptable animals are placed by CACC directly or in partnership with more than 265 rescue organizations. Indeed, in 2001 CACC increased its direct adoptions overall by 12% despite a 4% decrease in total animals in the system.

The reliance of CACC on more than 265 rescue partners to place more than 6500 animals in 2001 belies the allegation that “CACC has discouraged some rescue groups.” Since CACC implemented an aggressive direct adoption policy, we have been placing more of the highly adoptable animals directly from the shelters which has reduced the number of such animals available to the rescue organizations. Collectively, the humane community of NYC must focus its energies on those animals determined to be potentially adoptable and ensure adequate resources to address the health and behavioral problems of these particular animals.

CACC makes the utmost effort to adopt out animals approved for adoption. The auditors wrongfully conclude that “CACC limits the pool of animals available for adoption.” Indeed, as an expert advisor would have confirmed, CACC uses an objective statusing system to evaluate all animals. CACC considers far more animals as adoptable than most open admission humane organizations. Our work with rescue organizations in the placement of potentially adoptable animals far exceeds efforts of other humane organizations. If the auditors had read and understood the implications of Status 4 (aggressive) designation, they would have realized that these animals (typically less than 10% of all intakes) are not merely nervous upon admission but indeed represent a public safety risk if released without a complete temperament evaluation to assess the level of risk. Not putting these animals into the placement stream protects the health and well being of New Yorkers, while ensuring that, where appropriate and possible, safety can be measured against the risk of releasing these animals. CACC is doing its job properly and appropriately.

There are many fine humane organizations that have perfected the art of selecting adoptable animals and finding them good homes. CACC has forged strong partnerships with other groups involved in humane animal care -- e.g., the ASPCA, Bide-A-Wee, the Brooklyn Animal Resource Coalition and more than 200 smaller organizations -- to

provide every animal with the best chance possible of finding a loving home. However, these organizations do not represent valid comparisons to CACC in either the number of adoptions, the cost per animal adopted, or the scope of the functions performed as each is a limited admissions shelters, while CACC is an open admission organization. Worthy of note is that CACC's adoption rate today is significantly higher than the rate attained by the ASPCA before CACC took over this contract.

All other shelters and rescue groups in the New York area have the luxury of choosing to assist those animals that are most adoptable and appealing to potential families. CACC must take in all those who are unwanted by anyone else. No other shelter system deals with the diversity or volume of animals CACC does. Despite this, CACC has either rehomed or found new homes for 45,947 animals over the past 4 years, with the number of successful placements growing over time.

The success of our colleagues is premised on the limited array of services they provide and the limited types of animals they will assist. In partnerships that acknowledge the strengths and constraints of each, CACC and other shelter organizations routinely transfer animals within this much broader network in order to place each animal in the shelter where it is most likely to be adopted. It is also appropriate for CACC to defer to these colleagues those services they provide well – humane education and community outreach – and to concentrate our limited resources on the tasks they will not perform – namely animal control and care for animals who are not easily placed. The Comptroller appears to disagree with this prudent resource choice.

### **Staffing**

Despite the deficiencies cited in the audit, the Comptroller's Office did recognize that CACC is only funded at 33 percent of the level it should be for comparable organizational functions and that as a result, CACC was understaffed to fulfill parts of our mission. In fact, going by the HSUS staffing guidelines, CACC is funded for approximately 12% of the kennel staff it requires.

### **Access to documents**

Throughout the conduct of this audit, CACC was asked for certain documents and reports, nearly all of which were provided the same day or within a few days when not readily available. At the conclusion of the exit conference, we provided the Comptroller with a computer-generated report of all disciplinary actions. Only ABBRA, the human resources computer software system used by CACC, and the personnel files maintained at the CACC Park Place headquarters are the official personnel records of this organization. At no time had the computerized information been requested by the auditors.

All other files, log books and notes to file are unofficial documents that are not permitted now that their existence has been brought to the attention of CACC management.

Individual shelter managers have been required to discontinue the use of secondary personnel documentation.

Despite this, the preliminary and final draft audits contains the unfounded allegation that they were not provided access to all personnel records and says they "can only reasonably assume that we were denied access to these records because CACC's executive management did not want us to review any potentially adverse information they contained." They could reasonably assume a lot of things, but the conclusion they made is not one of them.

Although CACC never denied access to the personnel files for the purpose of review, when the Comptroller asked for approval to *copy* personnel files, CACC requested assurances that the personal identifying information would be kept confidential at all phases during the audit including upon its release. A number of CACC employees had been harassed at home by members of the animal activist community and CACC sought only to protect their privacy. This request by CACC was originally made in April 2001 was eventually elevated to the level of the Comptroller's Counsel and upon receipt in May 2001 of this written assurance of privacy protection, access to copy the personnel files was provided. The auditors fail to acknowledge the reason for this delay in the report and instead suggest that CACC used this time to delete damaging items from existing files. The auditors had full access to CACC personnel records from May 2001 through September 10<sup>th</sup> and spent several days during that time reviewing these files. This information belies the auditors accusations that CACC denied access to personnel records.

#### **Alleged restrictions on interviewing staff**

At the time of the Entrance Conference, CACC was in the midst of negotiating a Collective Bargaining Agreement with our unionized staff. Due to the delay of the City in promulgating revised Purchase of Service Guidelines, under which CACC could negotiate financial terms, we were unable to complete the negotiations. CACC staff at that time had been without a contract since October 2000 and had not had a raise since July 1999. Tensions were running high.

Therefore, CACC advised the audit team that we would permit all staff to be interviewed at the auditors' convenience, but, as had been our practice during the financial audit previously conducted by the Comptroller, all interviews would be conducted in the presence of a member of CACC Counsel's office. The auditors interviewed all senior staff in this manner. At no time did the auditors indicate that as a result of this routine and reasonable request, they would decline to interview current CACC employees. In the audit report, the auditors fail to note the reason why CACC chose to have only supervised interviews although they make a number of allegations as a result of this business decision. In fact, in a legal opinion by outside counsel sought by CACC following this allegation, CACC was told "CACC was prudent in seeking to have a representative present during interviews with its employees, both for the purpose of ensuring that employee rights were considered and for the purpose of evaluating the impact upon

CACC's obligations". It is difficult to believe that the official position of the Comptroller's Office is that a not-for-profit must subject its employees to interrogation by the City without the presence of a lawyer or that someone who avails himself of counsel is automatically considered suspect. Yet, that is the position of this audit.

Unlike most animal welfare organizations, CACC is a union employer. As such, CACC faces certain limitations in practice with which few other such organizations must contend. One of these is the use of volunteers. Although CACC uses volunteers in a number of non-animal related tasks, the audit criticizes CACC for not having a more extensive volunteer program. Although our Collective Bargaining Agreement allows for the use of volunteers, CACC has never been fully staffed in union positions, resulting in the potential for clashes with the union should we elect to use volunteers to perform the functions of unionized job titles.

#### **Audit's failure to adhere to Generally Accepted Government Auditing Standards**

In addition to its other failures as noted herein, this audit report is an egregiously unfair audit, failing to adhere to the Generally Accepted Government Auditing Standards that the report claims to follow. The standards that this audit ignores, in whole or in part, are listed below:

- "Criteria are the standards used to determine whether a program meets or exceeds expectations. ... Auditors have a responsibility to use criteria that are reasonable, attainable and relevant to the matters being audited. The following are some examples of possible criteria: technically developed standards or norms, expert opinions, performance of similar entities..." [Section 6.11]

The auditors established their own criteria for evaluating the performance of CACC ignoring technical standards for care, *using standards not obtainable in the real world*, failing to engage experts in the conduct of the audit and selecting organizations for comparison that were not similar to CACC in scope, funding or size.

- "Assigning staff with the appropriate skills and knowledge for the job." [Section 6.17] "... With less experienced staff, supervisors may have to specify not only techniques for analyzing data but also how to gather it..." [Section 6.24]

The Comptroller assigned auditors with no known skills or knowledge in the areas of humane animal care, veterinary medicine or labor law to conduct an audit of a large, not-for-profit animal care organization. Furthermore given the size of potential survey fields, the sample sizes were so small as to be statistically insignificant and were referred to by a Deputy Comptroller as 'judgmental surveys'. That the auditors relied on data gathered under questionable means and with questionable validity to determine their findings and conclusions suggests that the auditors lacked the appropriate skills and knowledge and that proper supervision of the audit was lacking.

- “A written audit plan should be prepared for each audit.... The plan should include an audit program or a memorandum or other appropriate documentation of key decisions about audit objectives, scope, and methodology and of the auditors’ basis for those decisions. It should be updated, as necessary, to reflect any significant changes to the plan made during the audit...” [Section 6.19]

Although the Comptroller maintains that the matters covered in this report were discussed with officials from CACC and DOH **during** [emphasis added] and at the conclusion of this audit, the material in the report *was not* discussed with CACC before the Preliminary Draft was issued December 31, 2001. The original scope of this audit as presented at the Entrance Conference in September 2000, was changed as reflected in the Preliminary Draft released December 31, 2001. The scope again changed in the revised Pre-Draft released March 4, 2002 and the scope noted in the Final Draft released April 19, 2002 differed yet again. Despite repeated requests for a clarification and verification of the scope made by CACC during the audit itself, our requests were rebuffed. Four different scopes suggest that the auditors knowingly ignored the Government Auditing Standards relating to audit planning and that CACC was not afforded proper due process.

- “Evidence should be sufficient, competent and relevant. Evidence is sufficient if there is enough of it to support the auditors’ findings.... Evidence used to support a finding is relevant if it has a logical, sensible relationship to that finding. Evidence is competent to the extent that it is consistent with fact (that is, evidence is competent if it is valid).” [Section 6.53] “... Testimonial evidence obtained from an individual who is not biased or has complete knowledge about the area is more competent than testimonial evidence obtained from an individual who is biased or has only partial knowledge about the area...” [Section 6.54(f)]

The auditors conducted very limited sampling and admitted that the samples were neither random nor statistically significant. Interviewing 254 New York City residents out of a pool of 8 million is not a sufficient sample size from which to draw conclusions about awareness of CACC’s existence and its services. The auditors concluded that CACC is relatively unknown because 35% of the respondents named ASPCA as a place to adopt a pet while only 2% named CACC. In 2001, CACC adopted out nearly three times the number of animals as the ASPCA, a fact that is not reflected in the survey results. The auditors surveyed 33 persons out of a pool of more than 24,000 customers who had conducted business with CACC between January and June 2001. Of the 33 surveyed, 28 persons had adopted from CACC; from this limited pool (1%) the auditors formed several conclusions that are not favorable toward CACC adoption programs. Finally, the auditors surveyed 59 rescuers from a list of 265 rescuer organizations provided to them by CACC. In 2001, CACC placed more than 7,000 animals with rescue groups belying the auditors finding that “CACC has discouraged some rescue groups”. Thus the auditors’ evidence does not meet the test of sufficiency.

Nor does evidence that is presented in a deliberately misleading manner meet the test of competence. For example on page 16 the auditors record, “...During the first walk-through, animals in 3 of 19 wards lacked access to water. In those three wards, the total



number of occupied cages without water was 5 of 48 (10%)...". In actuality had the auditors not deliberately ignored the 16 wards where all animals had water, the number of animals without water in the shelter was just 5 of 487 or 1%.

Finally, the auditors admit that 6 out of the 8 former staff interviewed (the auditors chose not to interview current staff) had been terminated by CACC. The auditors do not question the possible bias of these former employees, nor do they report which comments were made by former employees who were terminated, as contrasted to those who were not terminated. They also do not reveal whether any of the people they interviewed has any undisclosed relationship with either CACC (e.g., as a prior volunteer) or with the special interest community of animal activists. Full disclosure is necessary to permit the knowledgeable reader to evaluate the testimony.

The inclusion in the Appendix 1 of some of the comments made by six former employees, five rescuers and three customers without revealing whether they had any potential bias is appalling as is the almost exclusive reference to negative comments. The audit states that most of them criticized some aspect of CACC's operation. That proves nothing. Criticizing aspects of our operation means that they also had positive comments that were not reported because they did not support the Comptroller's conclusions. Including their comments in this manner is additional evidence for our conclusion that the audit is neither balanced nor fair. Indeed, when asked for additional facts about allegations made by these persons the auditors indicted that "... to protect the anonymity of the source..." no evidence corroborating their allegations could be provided. Thus the competence of the evidence cannot be determined as it cannot be confirmed.

- The report should be complete, accurate, objective, convincing, and as clear and concise as the subject permits. [Section 7.5] ... Giving readers an adequate understanding means providing perspective on the extent and significance of reported findings, such as the frequency of occurrence relative to the number of cases or transactions tested and the relationship of the findings to the entity's operations. [Section 7.52] ... Correct portrayal means describing accurately the audit scope and methodology. [Section 7.56]

Auditors are expected to present an objective and balanced report. The subject audit is neither objective nor balanced. The auditors failed to present any of the significant improvements that occurred at CACC during the subject period including significant gains in funding levels, enhanced staffing levels, renovated facilities (Brooklyn), expanded Field Services, improved rates of adoption and the stabilization of existing and introduction of new computer management systems. Furthermore, the auditors failed to provide a reasonable perspective for the findings they recorded as they have repeatedly failed to provide the proper context for the frequency of occurrences. For example, the auditors claim that failures to properly record data in animal records occurred 44 times during the subject period although the magnitude of data entries exceeded one million. It was CACC's own personnel records that demonstrated to the auditors the existence of the

errors and demonstrated CACC's awareness and discipline of these errors within the progressive discipline set forth in our Collective Bargaining Agreement. Finally, that the audit scope changed four times without notification to CACC again suggests that the auditors were seeking specific answers and then fit the scope to these findings.

- The report should include only information, findings and conclusions that are supported by competent and relevant evidence in the auditors' work papers. If data are significant to the audit findings and conclusions, but are not audited, the auditors should clearly indicate in their report the data's limitations and not make unwarranted conclusions or recommendations based on those data. [Section 7.55] ... The audit report should be fair and not misleading, and should place the audit results in perspective. This means presenting the audit results impartially and guarding against the tendency to exaggerate or overemphasize deficient performance. [Section 7.58] ... Auditors should keep in mind that one of their objectives is to persuade, and this can best be done by avoiding language that generates defensiveness and opposition. [Section 7.59]

The allegations that were made by former staff, customers and rescuers that are not supported by fact or sufficient evidence as indicated by the auditors' failure to provide credible information on the actual occurrences shows that several of the conclusions are unwarranted and unsupported. Throughout the conduct of this audit, from the earliest days of fieldwork, the auditors used questions and made allegations that deteriorated into an environment of mistrust and antagonism. The auditors continue this atmosphere by releasing a report that is both inflammatory and adversarial. Such behavior has proven to be both unproductive and unprofessional.

## **Conclusion**

Upon the original late 1998 phone call requesting a performance audit, CACC endorsed the idea that such an audit could be beneficial once the opportunity for new programs to take hold had occurred. Thus we welcomed this audit when re-contacted in September 2000. As such our disbelief at the tone and inferences during the conduct of this audit and our outrage at its findings and conclusions is understandable. For whatever reason, this audit team has an ax to grind and chose to use it on the hard-working, dedicated staff of CACC. That subjective, personal attacks as reflected in this audit could be endorsed by the Comptroller is astounding. What will truly be unfortunate is that once again the animals at CACC will pay a price for the callous, biased manner in which accountants, this time, rather than activists, have portrayed a shelter system they were not qualified to audit.

## AUDIT RECOMMENDATIONS AND RESPONSES

There are five major areas in which the findings of the comptroller do not accurately reflect the efforts of the Center or the conditions as they existed: conditions in the shelters; accidental euthanasia of animals, animal mistreatment, inadequate veterinary care, and the failure to be aggressive in increasing adoptions.

### I. Alleged Conditions in the Shelters

**Recommendation 1.** While additional funding most likely will be impossible to obtain in the near future, given New York City's financial situation after the September 11<sup>th</sup> attack on the World Trade Center, we recommend that, if it ever becomes possible, DOH consider amending CACC's contract to fund the hiring of additional kennel attendants. (The need to increase veterinary staff is addressed in *Recommendation 13*.) DOH and CACC should consult other shelters and organizations such as the Humane Society of the United States to determine appropriate staffing levels at CACC shelters. Required staffing levels should then be specified in the terms of CACC's contract and provided for in the contract budget.

**Response** CACC has aggressively pursued increased funding each year and has been successful. While the fiscal problems may impact all city-funded programs, the effect on CACC should be minimized because of its critical safety functions. An amended contract will be executed allowing for the hiring of additional kennel staff should additional funding be forthcoming.

**Recommendation 2.** We recommend that DOH amend CACC's contract to include a specific requirement on how frequently dogs should be walked.

**Response** An important fact for the public to know is that 35% of the CACC census of dogs are considered dangerous and, therefore, handling for the sake of exercise represents a risk to staff and other animals which has been demonstrated by serious injuries to experienced CACC staff. Implementing an increase in animal exercise where appropriate has fiscal consequences related to staffing not reflected in the comptrollers audit. The suggested language is not appropriate for a contract since the number of times alone is not a reasonable standard for exercise. The health and size of the animal, the type of exercise, and the duration of the exercise are factors that will be used to determine exercise requirements once space is available.

At the time of the audit assign was posted on the dog run access door in Manhattan prohibiting use of the runs because soda bottles and syringes were found in the runs, having been thrown at the animals by the residents in the neighboring building. Until CACC could assure the safety of staff and animals in the runs, they were temporarily closed.

**Recommendation 3.** Ensure that: all dogs are walked; all animals have constant access to water; animals' cages are kept clean; animals are put only into dry cages; and cats, dogs, contagious and nursing animals are kept in separate areas.

**Response** The Comptroller's staff ignored the reality of what humane housing of animals requires in favor of an unrealistic and unattainable standard. All animals in each CACC facility are provided access to water at all times, except during cleaning times when the water bowls are removed for disinfecting, and when they are scheduled for spay/neuter surgery. If an animal drinks and/or spills its water, the water is refilled during regular spot checks. During their visits to the shelters, the auditors did not revisit the wards where animals were observed without water to verify if the water had been replaced.

Cages are kept clean at all times in conformity with operational reality. Every cage is completely cleaned and disinfected each day and spot cleaned as needed during the day. The auditors use deliberate misrepresentation to depict conditions in a negative light. For instance, the report states "6 of 19 wards contained soiled cages..." then completely ignores the 13 wards with no soiled cages to state that 21 of 144 cages were soiled when in reality it was *21 of 483 cages*.

This is violation of GAGAS 7.28 which requires that "[I]n reporting significant instances of noncompliance, auditors should place their findings in perspective. To give a reader a basis for judging the prevalence and consequences of non-compliance, the instances of noncompliance should be related to the universe of the number of cases examined. . . ."

CACC houses all animals in dry cages. The materials used in the construction of the Manhattan T-Kennels absorb water and remain wet for a short period after cleaning. These kennels will be replaced during the upcoming renovations.

**Recommendation 4.** Enforce the policy of separating contagious and non-contagious animals at all the shelters. At the Staten Island shelter, CACC should implement its plans to convert the unused staff lounge as soon as possible and set up a separate ward for the contagious animals.

**Response** CACC uses a statusing system identifying degrees of contagious illness. If a licensed veterinarian determines that an animal's contagious condition represents a risk to other animals, it is relocated to a ward for contagious animals. In cases where the contagious condition does not present such a threat, it may be placed in a mixed ward. No reference to this veterinary determined rating was made in the audit. This policy is consistent with the Animal Welfare Act which requires that dogs or cats having or suspected of having a contagious disease must be isolated from healthy animals in the colony, *as directed by the attending veterinarian* (Sect. 3.7 (e)).

**Recommendation 5.** Investigate the possibility of obtaining additional interns through area colleges to supplement staff in providing animal care.

**Response** CACC routinely utilizes interns from the LaGuardia College Veterinary Technician program, which is the only licensed veterinary technician program in NYC.

## **II. Alleged Animal Mistreatment**

**Recommendation 6.** CACC immediately terminate any employee who physically abuses any animal.

**Response** Any CACC staff person found to have abused an animal is terminated. Pursuant to the labor contract, an employee can only be disciplined or discharged for "just cause." CACC has the legal burden of proving just cause. To date, because of the management system of discipline review, the discipline process has worked and management's decisions have not been reversed or modified by an arbitrator.

**Recommendation 7.** Provide more supervision of CACC employees, particularly the kennel attendants, who are directly responsible for the care of the animals.

**Response** CACC provides adequate supervision to all employees, including kennel attendants. During the primary hours of service to the animals and public (8AM – 8PM) there is a ratio of one manager

for every three staff in the shelters. With additional resources, CACC can provide additional supervision where desirable on evening and overnight shifts.

**Recommendation 8.** Provide employee support services to help employees deal with their frustrations and to prevent them from releasing their frustrations on the animals.

**Response:** There is no pervasive practice of staff venting frustrations on the animals. CACC's health benefits provide for employee assistance services. CACC provides training opportunities to staff and affords them the time to attend.

**Recommendation 9.** Reconsider its forced overtime policy, possibly offering incentives for staff members to come in and work shifts for which they are not scheduled, rather than forcing employees to work two shifts in a row. Possible incentives could include: the option of swapping shifts with other employees, "merit raises for outstanding job performance, and additional employee recognition awards.

**Response:** The present method of assigning overtime is the result of collective bargaining with the Union and is controlled by provisions in the labor contract. CACC cannot unilaterally change the present system without negotiating the change with the Union. To maintain services and operations, CACC is forced to utilize available staff following the labor contract's assignment of overtime procedures. Management does attempt to accommodate employees required to work overtime. Accommodations have included allowing employees to leave at the end of their regular shift and to later return to work after a substantial break to work on the overtime shift, and to working less than a full second shift by limiting their overtime work to just certain necessary tasks. If staff arrange a 'swap' with colleagues of equal training, CACC has acknowledged and permitted this practice.

**Recommendation 10.** Explore ways to recruit more qualified, dedicated staff, such as reliance on recruiting part-time employees from animal science-related programs in area colleges.

**Response:** CACC staff are dedicated, well-trained and thus qualified staff. It is offensive for the auditors to suggest otherwise. CACC regularly attends career day events and advertises employment on several websites that are likely frequented by animal science students. Entry level salaries are a significant deterrent.

### **III. Accidental Euthanasia**

**Recommendation 11.** Provide staff with continuous training concerning the use of the Chameleon system and the importance of entering the various types of information.

**Response:** All CACC staff receive Chameleon training at hiring and through daily supervision in the shelters. Any changes to Chameleon are handled with specific training classes. Failure to complete Chameleon data entry properly is disciplined.

**Recommendation 12.** Provide additional training on and increased supervision of the euthanasia process to ensure that all control procedures are followed.

**Response** CACC has implemented triple safeguards to ensure proper identification of animals. CACC implemented additional controls on the euthanasia process since the period of review by the Comptroller's staff (January 1999 – June 2001). If the procedures, which include matching the animal's collar to the card, the computer record and scanning for a microchip prior to euthanasia to verify the appropriate animal is being euthanized, are followed, no "accidents" can occur. If an animal is inappropriately euthanized, it is because the procedures in place have not been followed. All instances of failure to follow procedure are disciplined.

### **IV. Allegations of poor veterinary care**

**Recommendation 13.** While additional funding most likely will be impossible to obtain in the near future, given New York City's financial situation after the September 11<sup>th</sup> attack on the World Trade Center, we recommend that, if it ever becomes possible, DOH consider amending CACC's contract to fund the hiring of additional veterinarians and veterinary technicians. (The need to increase kennel staff is addressed in *Recommendation 1*.) DOH and CACC should consult other shelters and organizations such as the Humane Society of the United States to determine appropriate veterinary staffing levels at CACC shelters. Required veterinary staffing levels should then be specified in the terms of CACC's contract and provided for in the contract budget.

**Response** CACC has aggressively pursued increased funding each year and has been successful. While the fiscal problems may impact all

city-funded programs, the effect on CACC should be minimized because of its critical safety functions. An amended contract will be executed allowing for the hiring of additional veterinary staff should additional funding be forthcoming.

**Recommendation 14.** Ensure that staff veterinarians provide adequate supervision of veterinary technicians.

**Response:** CACC veterinarians provide adequate supervision of the veterinary technician. Veterinarians oversee the work of veterinary technicians and will correct or discipline deficiencies as noted in CACC personnel records.

**Recommendation 15.** Ensure that there is an adequate number of medical staff at all times to address the medical needs of animals.

**Response** During the audit the Comptroller's staff did not perform an efficiency study that would have determined if current staffing levels are adequate.

**Recommendation 16.** Quickly terminate any veterinary staff members who are found to be unqualified or who consistently provide poor care.

**Response:** As with any CACC employee, any veterinary staff member found to be unqualified or consistently providing poor care would be disciplined up to and including termination as appropriate.

**Recommendation 17.** Investigate ways to attract more qualified veterinarians and veterinary technicians.

**Response:** This recommendation alleges that current CACC veterinary staff are less qualified. The auditors conducted no review of the credentials of CACC veterinarians with the State Education Department, the licensing body for veterinarians. Had they, it would have been evident that no complaints or disciplinary actions have been initiated against CACC veterinarians. The auditors are otherwise unqualified to make judgments on the professional qualifications of CACC veterinary medical staff.

**Recommendation 18.** Evaluate the performance of all veterinary technicians and determine whether there is an advantage to employing licensed veterinary technicians (e.g., to perform more of the necessary medical functions and generally provide better care). If there



seems to be an advantage, CACC should consider hiring only licensed veterinary technicians in the future.

**Response** CACC actively posts all positions on national recruitment boards on the websites of animal welfare organizations frequented by veterinary technicians. The New York State Veterinary Medical Association concurs that there is a shortage of licensed veterinary technicians in the northeast. CACC urges CUNY to expand its veterinary technician offerings beyond the one limited program at LaGuardia Community College.

**Recommendation 19.** Implement a process to monitor and evaluate the performance of contracted veterinary clinics.

**Response** CACC monitors our contractors for compliance with contract provisions. Any pattern of repeated or deliberate mistreatment of animals would be noted and reported by CACC. No such patterns have been observed. Evaluating veterinary practices is a responsibility of the State Education Department, the licensing body for veterinarians.

## **V. Allegations of failure to increase adoptions aggressively**

### **A. Alleged limited outreach and marketing**

**Recommendation 20.** Ensure that photographs posted by CACC on Petfinder are clear and attractive.

**Response** CACC continues to improve the technology used in posting photographs to Petfinder.org and reassigned responsibility for this important function. The quantity and quality of the posted photos has improved measurably.

**Recommendation 21.** Increase CACC's outreach, public education and advertising efforts. CACC should speak to other shelters to obtain ideas, and pursue relationships with local media outlets and enter into partnerships with private companies willing to sponsor special events or advertising campaigns.

**Response** CACC continues its aggressive efforts to promote awareness of our services particularly adoptions through PSAs for radio and television, movie theater advertising, posters on sanitation trucks and buses, and advertisements on LIRR and Metro North train schedules. Nonetheless, CACC has retained the services of a

Public Relations firm to assist in the development of a multi-media public relations campaign.

**Recommendation 22.** Interact with local animal welfare organizations and enlist their aid in promoting CACC and its adoption services.

**Response:** CACC interacts daily with other local animal welfare organizations as evidenced in the more than 6,500 animals we place annually with our placement partners. For 2000 and 2001, CACC participated with Adoption Alliance members on a joint subway campaign promoting shelter adoptions. CACC, ASPCA, Bide-a-Wee and Humane Society of New York were featured in this joint advertisement. CACC as noted works with Petfinder.com to insure that our adoptable pets are featured on the Internet.

**B. Allegations of inadequacy of off-site adoptions**

**Recommendation 23.** Increase participation in adoption events.

**Response** CACC does not endorse offsite adoption events as they often result in impulse adoptions that have a higher rate of return. We will seek to balance this reality with the desire to increase availability of CACC animals.

**Recommendation 24.** Extend its off-site adoption program. CACC should consider showing animals for adoption at additional veterinary clinics and in pet supply stores, among other locations. CACC should also consider working with the New York City Department of Parks and Recreation to create pet adoption spaces where CACC animals can be shown at suitable times, such as spring, summer and fall weekends.

**Response** CACC does not endorse offsite adoption events as they often result in impulse adoptions that have a higher rate of return. We will seek to balance this reality with the desire to increase availability of CACC animals.

**Recommendation 25.** Improve its controls over record keeping for adoption events to ensure the accurate documentation of the animals adopted at each event and the number of hours that volunteers worked at each event. CACC should use this information in planning future adoption events.

**Response:** CACC has added an adoption sub-type to the Chameleon outcome field that will reflect off-site adoption events. CACC will explore acquisition of software designed to track and report volunteer contributions.

**Recommendation 26.** Specifically designate those animals adopted at adoption events in the Chameleon system.

**Response:** See recommendation 25.

**C. Allegation of failure to provide formal customer services quality assurance program**

**Recommendation 27.** Develop a formal customer service quality assurance program as required by the contract with DOH.

**Response** CACC has a customer service quality assurance program in development. Following customer service training of shelter staff this program will be implemented. A September 2002 target date is set. Presently all complaints are followed up with the complainant.

**Recommendation 28.** Provide service representatives with additional, and continuous, training in customer service.

**Response** CACC has a customer service quality assurance program in development. Following customer service training of shelter staff this program will be implemented. A September 2002 target date is set. Presently all complaints are followed up with the complainant.

**D. Allegations of discouraging rescue groups**

**Recommendation 29.** Work more cooperatively with rescue groups interested in helping CACC place animals. CACC should ensure that all employees understand the importance of maintaining good working relationships with these groups, and that they treat rescuers professionally and courteously, and that they return calls from rescuers in a timely fashion.

**Response** CACC employees understand the importance of maintaining good working relationships with PET Partners and other 'rescue' groups and individuals. CACC staff treats all such persons and groups professionally and courteously although they are not always

treated in a like manner. CACC routinely utilizes the services of 'rescue' groups and individuals to a greater degree than most humane organizations. It is a chronic, never ending complaint of rescuers that CACC does not work well with rescue individuals and organizations, yet during the period of the review, CACC placed more than 18,000 animals with rescue groups. The auditors failed to acknowledge the success of the CACC special adoption initiative.

**Recommendation 30.** Make the PET applications process less cumbersome and less paper intensive.

**Response** CACC advised the auditors that the PET Program was in response to state legislation that would have prohibited CACC (and any other humane organization) from utilizing the services of unincorporated rescue groups. At the request of CACC, Governor Pataki vetoed this legislation. CACC provided a copy of the Governor's message and the proposed legislation to the auditors who chose to ignore this important information.

**Recommendation 31.** Inform rescue groups by letter that: CACC is implementing the PET program incrementally; it plans to eventually provide PET applications to all rescue groups; it will not stop working with those rescue groups that have not yet received their PET applications.

**Response** CACC notified all rescue groups that have previously or are currently working with CACC that the PET Program was being implemented in phases. CACC also notified rescue groups that no one would be discontinued during the transition phase unless there was just cause. Copies of this correspondence and the recipient lists were provided to the auditors and not acknowledged.

**E. Allegations of limitation to the pool of adoptable animals**

**Recommendation 32.** Ensure that all animals initially given a "4" status are re-evaluated for temperament.

**Response** CACC agrees that all animals should be afforded a full temperament evaluation. Current staffing levels do not permit this at this time. However, the Comptroller's staff did not report that the number of animals that receive a Status 4 designation typically represent fewer than 10% of total animals. Furthermore, as provided to the accountants, 50% of the animals statused as a 4T are cats, for which there is not an industry approved temperament

evaluation. CACC did provide information on those animals that received re-evaluations that were not reflected in the audit.

**Recommendation 33.** Cease the practice of limiting the adoption of older animals. CACC should work cooperatively with customers so they may adopt the animals most suited to their individual situations, and with rescue groups so that they can take as many animals as possible out of the shelters to be placed in adoptive homes.

**Response** CACC does not limit the adoption of animals exclusively by age. Information to this effect was presented to the audit team and was not reflected in the report.

**Recommendation 34.** Use the Bronx and Queens receiving centers to show adoptable animals until the opening of planned full-service shelter in the Bronx and Queens.

**Response** CACC is working actively with community representatives and elected officials in the Bronx and Queens to open full service shelters in both boroughs, as required by law. Due to limited funding, CACC is unable to provide adoption services in the Bronx and Queens receiving facilities at this time

#### **VI. Allegations of failure to raise funds and use volunteers**

**Recommendation 35.** We recommend that CACC plan and implement additional fundraising efforts. CACC should contact other non-profit shelters to obtain ideas regarding effective fundraising methods.

**Response** CACC has aggressively pursued City funds to establish a baseline that adequately supports the services for which CACC is contracted. To this end between 1998 and 2001 through aggressive negotiation and lobbying, CACC secured an increase of 53% in city funds.

CACC believes that private funds should be used to supplement not supplant City funds. CACC's private funding efforts are not part of the contract and not an appropriate subject of review by the Comptroller. The auditors did not request a full accounting of private resources available to CACC. CACC has maintained that the quasi-government nature of the Board of Directors limits our ability to raise private funds. Nonetheless, CACC will utilize the services of its Public Relations consultant to explore more aggressive ways to raise private funds.

It is important to note that the humane organizations to which the auditors compared CACC, that is the ASPCA and Bide-a-Wee, spend 21% and 11% of their annual budgets on fundraising respectively. The ASPCA spend more than \$8.2 million per year and Bide-a-Wee spends more than \$1.1 million per year on fundraising alone. As limited admission shelters, neither organization serves animals in the volume that CACC handles. Thus, perhaps more compelling is the percent of funds spent on program services; this is only 56% for the ASPCA and 67% for Bide-a-Wee. CACC allocates 86% of its funds to program services. Auditors have an obligation to disclose such information when using comparisons to formulate findings and recommendations.

**Recommendation 36.** Aggressively increase the number of volunteers through a stronger recruitment effort aimed at individuals interested in the care of animals. CACC should consider enlisting the aid of rescue groups and other area animal welfare organizations in recruiting volunteers.

**Response** Upon the recommendation of the Humane Society of the United States, volunteers should not be used or encouraged until CACC can complete a formal program of job descriptions, training, evaluation and supervision. Indeed, HSUS states: *"For some shelters, a volunteer program is not worth the investment. Certain animal care and control facilities, for example, do without volunteer programs because liability concerns or labor issues make it impractical or impossible to place volunteers in positions of responsibility. Other humane organizations lack the resources necessary to oversee such a program. Simply put, a shelter can be successful without volunteers."* The auditors believe that ". . . CACC should provide more supervision of CACC employees . . . thus supporting its believe that CACC is not yet ready to launch a volunteer program. Nonetheless, CACC actively engages volunteers in tasks that are not directly involved in the care and handling of animals.

**Recommendation 37.** Expand duties available to volunteers to include more direct animal care, such as dog walking, cage cleaning, and cat grooming.

**Response** The Humane Society of the United States recommends that volunteers not be used or encouraged until CACC can complete a formal program of job descriptions, training, evaluation and supervision. Indeed, HSUS states: *"For some shelters, a*

*volunteer program is not worth the investment. Certain animal care and control facilities, for example, do without volunteer programs because liability concerns or labor issues make it impractical or impossible to place volunteers in positions of responsibility. Other humane organizations lack the resources necessary to oversee such a program. Simply put, a shelter can be successful without volunteers.” As noted by the auditors, “...CACC should provide more supervision of CACC employees...” thus concurring that CACC is not yet ready to launch a volunteer program. Nonetheless, CACC actively engages volunteers in tasks that are not directly involved in the care and handling of animals.*

**VII. Allegations of failure of management and operations to focus on meeting contract requirements**

**Recommendation 38.** CACC’s board of directors and executive management convene to discuss the organization’s mission, to determine whether the current mission statement accurately reflects CACC’s purposes, and to reconcile its organizational and management philosophy with its contract and stated mission. If the board and executive management determine that the current mission statement is accurate, then they must develop a plan for the organization to change direction and bring its operations in line with the pursuit of all of the goals in its mission statement. If the board and management decide they are not interested in pursuing all of the goals in CACC’s mission statement, they should change the mission statement accordingly, and negotiate any necessary amendments to CACC’s contract with DOH.

**Response** CACC is engaged in a strategic planning process that began with the revision of the organization’s mission statement. The Strategic Planning Committee adopted this mission statement in mid 2001 leading to the auditors’ confusion in their use of the old mission statement. CACC is aggressively pursuing all aspects of the mission statement regardless of which version is used. Nothing in the audit report supports the Comptroller’s allegation that CACC is not pursuing all the goals identified in the mission statement. Indeed, the auditors admit that they did not audit significant parts of the contract and mission statement.

**Recommendation 39.** We recommend that CACC’s board of directors ensure that there is a quorum present when it holds its meetings and votes on items.

**Response** CACC agrees.

**Recommendation 40.** We recommend that CACC's board of directors should comply with the Open Meeting Law and ensure that all board members, officers, and invited speakers speak audibly so that members of the public who attend the board meetings may hear what is said.

**Response**      The CACC Board of Directors complies with all aspects of the Open Meetings Law. Persons attending the meetings can observe and hear all discussions; however hidden recording devices may not be able to record the proceedings frustrating our audience.

**Recommendation 41.** We recommend that DOH amend CACC's contract to include specific and measurable performance requirements and/or standards for all appropriate service-related areas.

**Response**      Effective July 2001 CACC and DOH entered into a performance-based contract that the auditors fail to note. The specificity of the performance measures suggested by the auditors reflect the oversimplification of complex variables that they failed to grasp throughout this audit process. Clearly the auditors cannot believe that such restrictive terms that fail to account for changing field conditions would be acceptable to any contractor.